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CASES OF CONSCIENCE;

OR,

LESSONS IN MORALS:

For the Use of the Laity.

EXTRACTED FROM THE MORAL THEOLOGY OF THE
ROMISH CLERGY.

BY PASCAL
THE YOUNGER.

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CASES OF CONSCIENCE ;

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CHAPTER I.

HISTORY OF THE JESUITS.

IT is well known that the Jesuits were established as a new sect in 1538, by Ignatius Loyola, in order expressly to destroy Protestantism. The Pope Paul III. at first refused to sanction the new society; but when Loyola added the additional vow of absolute obedience to the Pope, he issued a bull to establish it, and Loyola was made General of the Order. The implicit obedience which he offered to the Pope he exacted from all below him, so that no Jesuit can have any will of his own, but is bound to go anywhere, or do anything, that his superior commands, without questioning its propriety, or hesitating to fulfil the order.

The maxims which the new society promulgated were condemned by the Faculty of Theology at Paris, in 1554, "as dangerous to all that concerned the faith, calculated to disturb the peace of the Church, to overturn the monastic order, and more fit to destroy than to build it up."

In 1558, Bronswell, the Roman Catholic Archbishop of Dublin, said, "There is a fraternity which has lately arisen, called the Jesuits, who will seduce many: who acting, for the most part, like the Scribes and Pharisees, will strive to overturn the truth: they will go near to accomplish their object, for they transform themselves into various shapes: among Pagans they will be Pagans; among atheists, atheists; Jews among Jews; reformers among reformers; for the sole purpose of discovering your intentions, your hearts, your desires."—*Varran's Annals of Ireland*, 1785.

In less than fifty years the Jesuits had spread over all the earth, and in 1710 they had 59 houses of probation, 340 residences, 612 colleges, 200 missions, 157 seminaries, and 20,000 members.

Pasquier, in 1564, warned his Roman Catholic brethren, that the Jesuits would subvert all governments except their own.

In 1571, Arius Montanus wrote from Antwerp to Philip II., warning him to forbid any Jesuit being confessor to a governor; for he says, "I call God to witness, from my certain knowledge of them, that this advice is of the utmost importance."

In 1565 the Council of Salamanca decreed, for their abominations as Flagellants, and the heinousness of their conduct, that they should be deprived of their colleges at Milan (*Histoire des Religieux de la Compagnie de Jésus*, lib. vi. 36 and 86). Cardinal Bonomeo, who had one of them for his confessor, found that he was a wretch addicted to the most infamous crimes, as well as the rest of them in the College of Braida, and he took it from them.

In 1572 they instigated Catherine of Medicis, and her son, Charles IX., to murder 30,000 Protestants on the Feast of St. Bartholomew.

In 1596 they rendered themselves so odious at Riga, that that town rose up as one man to turn them out.

The faculty of Theology at Paris complained against them to Pope Gregory XIII.

In 1563 the Jesuits headed the league of France, and Samicr, a Jesuit, was employed to excite Catholic princes against Henry III. of France. The Pope furnished him with money for this end, and a treaty was made between Philip II. of Spain and the Duke of Guise, in 1584, to place Cardinal de Bourbon on the throne on the death of Henry III., and exclude Henry IV. as a Protestant. Clément received his instructions from them, and assassinated Henry III. in 1589. In the *Lettres Annuelles* of that year they declared this assassination to be by a miracle, because it happened on the anniversary of their expulsion from Bourdeaux, which he had ordered in consequence of a conspiracy detected amongst them. Pope Sixtus V. sent Cardinal Cajetan, with the Jesuits Bellarmine and Tyrrius, to insist upon having a Popish king: and under the guidance of the Jesuits Varade, Gueret, Guignard, and D'Aubigny, Barrière, Chartel, and Ravillac, were prepared as assassins. The first confessed that Varade, the rector of the Jesuits, urged him, gave him absolution and the sacrament: on this, all the clergy, except the Jesuits, took an oath of fidelity to the king.

In 1594, the University of Paris passed an unanimous decree against the Jesuits, as corrupters of youth, disturbers of

the public peace, and enemies of king and state ; and in 1595, Châtel attempted to assassinate the king at the instigation of Gueret : and in Guignard's handwriting, in the Jesuits' college, was found the proof of his guilt, for which he was condemned to death.

The Jesuits, although ordered to leave the country, remained in secular clothes ; and in 1597 all persons were forbidden to harbour them.

Le Bel, a Jesuit, published a book commanding the assassination of Henry III. ; and Francis Jacob, another Jesuit, boasted that he would have done so. Mariana published another book to prove the lawfulness of killing heretical kings ; and in 1610 the Jesuit Aubigny instigated Ravaillac to kill King Henry IV. Jouvenç, the Jesuit, denied the justice of executing those assassins, and called Guignard a hero.

Other assassins were afterwards instigated by them in the same way.

The Dominicans and Jansenists charged Ricci, an Italian Jesuit, with having allowed the Chinese converts to retain their Pagan rites, for which the Jesuits were condemned by Pope Innocent X. in 1645 ; but they were afterwards approved of by Pope Alexander VII. The Dominicans again attacked them in 1661 and 1674, under Pope Innocent XI. ; and the Jesuits were again condemned by Clement XI. in 1704, but his edict was mitigated in 1715.

Pascal attacked their wicked doctrines, respecting evading oaths and giving permission to sin, in his *Provincial Letters*, which the Jesuits could not answer, but had interest enough to procure the book being burned. Perrault published another book, containing extracts from their writings ; and Arnaud did so likewise.

Complaints being made against them led to a searching of their houses, when evidence was found of the extent of their wealth in lands, which exceeded all belief, and of their ultimate object being to become "governors and rulers of the world." In 1774, Benedict XIV. condemned their missions. They stimulated assassins against the king in 1757 : in 1755 the King of Portugal was assassinated, of which they were accused, and they were banished from that kingdom in 1759. They were expelled from France in 1764 ; from Spain and Naples in 1767 ; and the Order was suppressed in 1773 by Pope Clement XIV., whom they subsequently poisoned.

This infamous Order was restored in 1814 by Pope Pius VII.

The doctrines of the Jesuits were always denounced by the rest of the Roman Catholics ; while the Jesuits, as above appears, have sometimes been supported, and sometimes suppressed, by

various Popes. When, however, Pius IX., having turned reformer, was driven from Rome by the revolutionists whom he had invited there from all the world, and had arrived at Capua, the Jesuits came to him, and told him his position was a judgment upon him for having thought that the Church could want mending ; and they so terrified him that they obtained complete possession over him. The Pope is now a mere tool in their hands, and the Papacy is absorbed in Jesuitism. Thus the doctrines which have been rejected hitherto by the whole Christian world, are now become the doctrines of the Roman sect ; and it is the object of the present work to give a short account of some of the most important, particularly those that are most likely to be prejudicial to the interests of the public in this country.

CHAPTER II.

CODE OF LAWS.

THE *Moral Theology* of the Jesuit, Herman Busembaum, was first published in Westphalia, 1645. The success of the work, in the palmy days of Jesuitism, was immense. In 1770 more than 200 editions had been printed. But, in the meantime, this very success proved well-nigh fatal, not only to the reputation, but to the existence of the Jesuits. Busembaum and his commentators furnished the arms with which people, parliaments, and kings struck that great enemy of conscience and of human society, the Company itself, whose name is since become the vilest synonym of infamy. In vain confidence of strength, it had denounced, by the mouths of its great apostles, all organisations of human government except its own ; and kings, as well as common men, were told that their lives depended on the judgment of any *probabilist* confessor ; that sentence of assassination might be carried into execution any day in any year, and the avowed author of the death be proclaimed, in gorgeous folios, *ÆTERNUM PATRIÆ DECUS*. In vain the crafty general of the “ Military Company of Jesus,” which was to subjugate and govern the world, sought to appease those whom, at that time, it was alone thought worth while to appease—the reigning sovereigns of Europe, by expunging a regicidal proposition. In the instinct of self-preservation from the most formidable, widest, and most illustrious conspiracy the world had ever seen, king and people were too closely united to be separated by any hollow promises of those whose first obligation is

that of treachery, and by whom an oath had been stripped of all its sanctity. Busembaum's works, together with those of his commentator, were ordered to be burnt by the hangman's hand in the different cities of France, and the Society of Jesuits was suppressed throughout that kingdom ; a society, as its apologists boasted, approved by nine-and-twenty popes, confirmed by the Council of Trent, and which it had been forbidden to attack in word even, under penalty of damnation ("quod vel solum verbo aut scripto aliquo impugnare vetitum severissime fuerat, anathematis pena in legis contemptores constituta").

The parliament of France had only anticipated the see of Rome, and Clement XIV., in a bull which does the Popedom more honour than any that had ever before appeared, solemnly condemned the Society as an irreconcileable enemy to the well-being of Christendom. But Jesuitism would not have been Jesuitism if it had obeyed any authority, human or divine. An invisible hand at once struck down the brave Reformer Pontiff who had dared attempt to strike down them ; and the Jesuits then intrigued against Europe in secret, instead of corrupting it openly. The body was laid out, and seemed a corpse, but animation was not for a moment suspended ; and when, in a state of repose from the awful reign of anarchy and terror which they themselves had brought about, kings of the old race again appeared upon the scene, they found a Pope, who had climbed to the throne by democratic sermons, ready to encourage them to raise anew the old Praetorian army of Loyola, and they consented to reign by sufferance of the priests upon condition of their subjugation of the people.

The treaty made ; the Jesuits restored triumphant masters of Pius VII., of Rome, and of the Papal subjects throughout the world, it was a point of honour to redintegrate their great apostle of iniquity. The name itself of Busembaum still stank too strongly in the nostrils, even of Popedom, to be openly brought forward. And an obscure Neapolitan bishop was chosen as the means of at once wiping out the late ignominy, and of establishing more solidly and more broadly the old dominion of Jesuitism. The choice of an instrument was made with the wisdom of the elder serpent. Simple, pious, zealous, but at the same time credulous and imaginative to the verge of madness, Alfonso Liguori was not only *not* a Jesuit, but aspired to be the founder of a new order. The mighty Jesuits became the patrons of Liguori's rising congregation ; and Liguori became their slave. The rugged road by which they led their victim to canonization, and the patient, nay cheerful courage with which he walked it, may be found in any life of St. Alfonso. He died in 1787. Breaking through the prudent

rules of the Church of Rome, the Jesuits beatified him, by the hands of the obedient Pius, in less than thirty years after his death. But here the crafty process stopped for an interval. The costly honours of saint-hood were not indulged in until the merit and the worth of Liguori to the Society of Jesus were placed beyond a doubt. Again an instrument was necessary,—*not a Jesuit* ; and some of my readers may remember the good, weak, vain Duke de Rohan. The death of his duchess opened for him in his grief the consolation of *sacrificing* himself to the priesthood. The rank of Archbishop and Cardinal followed as of course. But the amiable devotion which consists in striving to think one's self better than other men, was not diminished by these honours ; and Cardinal de Rohan added the influence of his new station, and a life of submission to his directors, to that of an ancient dukedom. In the eagerness of his new zeal he readily consented to do the work required, and successfully ; for dating, like his ignoble rival in vain-glory, *out of the Flaminian Gate*, on the 5th day of July, 1831, he wrote to his faithful subjects of the province of Besançon that the Church of Rome having declared, that in all the writings of Liguori there was not one word that deserved censure, they could and ought to adopt them, throwing aside all doubt upon the matter.*

The canonization of Liguori was now proceeded with in safety. The year 1839 saw him worshipped on the altars of the Church of Rome ; and the work which, by a superfluity of exuberant superchery was still printed in 1840, as *Compendium Theologie moralis S. Alph. de Ligorio*, is in 1846 printed by the Propaganda press as the “ *MEDULLA THEOLOGIÆ MORALIS HER. BUSEMBAUM* ;” but without losing the indelible stamp of Liguori's infallibility !

The decree of the Church of Rome (given in ignorance, and through fraud it may be), establishing for ever the morality of Busembaum and Company, and the subsequent canonizations of their creature Liguori, have made Jesuitism and Rome identical, and begun a new and darker era in the history of this world's deceitfulness, and of the working of the great mystery of iniquity.

The system of Busembaum, in itself, was perfect. The archfiend himself could not find one malignant link wanting in the chain thus ably wrought to bind men to his service in the name of God. All it now wanted was superadded obligation. It was not yet unlawful for a Romanist to have a conscience. A brave Papist might still stand out and perseveringly act according to his own and man's universal sense of right and wrong. He might still believe an oath for ever binding ; call a lie a lie ; and hold every black deed black.

* “ *Doctrina quæ nihil censura dignum continet.*”

Again an instrument was needed, but of a less scrupulous sort than poor Liguori or De Rohan. The question now was, Where could be found, out of the Jesuit ranks, a name of weight to dare proclaim the obligation for every individual of the "faithful" to follow, not his priest's conscience, but his *direction*; which, be it known, Liguori says, may be against his (the priest's) conscience? Reckless Ireland disputes with Spain the honour of furnishing to England the sin of foul Jesuit casuistry.

There was living in Rome a prelate, not yet a bishop, whose days of laborious study seemed stolen from a dream. As early as 1836 the humble monsignore was put upon the track he was to follow. He subsequently promised that another Farnesian Gesu should rise in London, and the armies of Loyola be mighty in England as at Rome. The stern silence of the Dutch General of the Jesuits still pronounced "*non basta*" plainer than words; and the required proposition was written down and printed, and made *juris publici*. "In the Catholic Church no one is ever allowed to trust himself in spiritual matters. The Sovereign Pontiff is obliged to submit himself to the direction of another in whatever concerns his own soul."—*Preface to the Exercises of St. Ignatius, by Cardinal Wiseman.* To this must be added from the work itself, p. 180,—"That we may in all things attain the truth, that we may not err in any thing, we ought ever to hold it as a fixed principle, that what I see white, I believe to be black, if the Hierarchical Church so define it to be." Abject slavery to priestcraft cannot sink lower than this: the degradation of the laity is complete. Three lines were enough to hold it, and it was stuffed into an obscure corner of a small ascetic work, there to have ripened unheard of into a common doctrine, but for the public exposure in the House of Commons. But, in the meantime, what was written was written; and he that wrote the precious lines must needs be reputed learned, pious, wise. Rank, too, must add its authority to make the new doctrine more than probable; and so the simple priest of the Collegio Inglese and of the Propaganda is changed into NICHOLAS, CARDINAL WISEMAN, issuing from the Flaminian Gate, in tears of ecstasy to think of the wives and daughters of peers of England gazing in admiration on his scarlet habiliments, and kissing, on their knees, his condescending hand.

Far less amiable and far deeper, if not more sincere, was the joy of those who, at so little cost, had made him happy. For more than three hundred years it had been their *nil dulciss*

*"Certare ingenio, contendere mobilitate
Noctes atque dies niti præstante labore
Ad summas emergere opes, rerumque potiri."*

Io triumphe ! God is great, and Loyola is His prophet.
Now

“ *pietasque fidesque
Destruunt, moresque malos sperare relictum est.*”

CHAPTER III.

THE CHURCH OF ROME IN ITS RELATIONS WITH THE WORLD.

It is a fundamental doctrine of the Romanists, that the mystical body of Christ, like the human body, is a visible creation of God, and that, as the head is Lord of the natural body, so the Pope is Lord of this supernatural body—the Church.* The Church is composed of all the baptized, as a body is composed of its members ;† and whether represented by national Churches or by general Councils is subject always, and in all places, to its Supreme Head.‡ This head is called Christ's Vicar, and altogether infallible in controversies of faith and morals.§ The keys of Heaven and Hell belong to him. *Urbs et orbis*, Rome and the world, are subject to him ; and from his Apostolic throne are sent the Patriarchs, Archbishops, and Bishops, that are to GOVERN *ubique terrarum* in his name, and as his delegates.|| His dispensations release the baptized in this world from the most sacred obligations, even though imposed by the law of God ;¶ and they extend to the dead as well as to the living,

* Catechism of the Council of Trent.

† “ *Infideles non baptizati, etiam catechumeni, non obligantur præceptis Ecclesia, obligantur tamen hæretici, et alii, qui per baptismum Ecclesiam sunt subjecti.*” —*LIGUORI*, i. 154. “ Heretics and schismatics no more belong to the Church than a deserter belongs to the army which he has abandoned, but that does not make them the less under the power of the Church, nor prevent her from judging them, punishing them, and smiting them with ANATHEMA.” —*Catechism of the Council of Trent*.

‡ “ *Sententia, cui subscribimus, tenet Papam non dubium semper esse supra concilium generale, sive supra omnes Ecclesias, etiam collective sumptas, et hauc tueruntur S. Thomas et alii nostri auctores communiter.*” —*LIGUORI*, i. 123.

§ “ *Communis sententia, cui nos subscribimus, est, quod, cum Papa loquitur tanquam doctor universalis definiens ex cathedra, nempe ex potestate suprema, tradita Petro docendi Ecclesiam, tunc dicimus, OMNINO INFALLIBILEM esse. Hanc sententiam tueruntur Divus Thomas et communiter reliqui theologi omnes.*” —*Ibid.* i. 110.

|| Council of Trent, *passim*.

¶ “ *Potestas dispensandi convenit omnibus prælatis, qui habent jurisdictionem in foro externo, vel privilegium. Unde dispensare possunt sequentes: I. Papa, in respectu omnium fidelium, in omnibus votis. II. Episcopus, in respectu suorum subditorum. III. Prælati regulares exempti, respectu suorum religiosorum et novitiorum: idque circa vota quæ vel in seculo, vel in novitiatu fecerunt.*” —*LIGUORI*, iv. 256.

“ *Certum est posse Pontificem et prælatos dispensare in votis, cum in his gerant vicem Dei.*” —*Ibid.* i. 189.

“ *Quæritur an Papa in rebus juris divini, possit unquam dispensare? In*

diminishing their just torments beyond the grave by forty days, or forty thousand years,* as in vicarious omnipotence he largely or sparingly distributes his Indulgences.

Once incorporated in this visible body, the relationship of a member to the head can never be dissolved. Rome pronounces ANATHEMA on all who dare claim for any baptized person the right to choose whether or no they will be subject to all her precepts, written or unwritten.† Wherever is to be found one of her stoled priests, there is erected “the tribunal, before which” all who are of the age to sin, and would save their souls alive, must “be placed as criminals; that, by the sentence of the priest, they may be freed from their sins committed.”‡

And what more just than that he who adjusts men’s fate in the next world should direct their actions in this? He that is lord of the soul is lord of the body, as the Patriarch reminded the elder Andronicus, when that emperor complained of his priestly confusion of temporal and spiritual. No Pope has ever renounced, or ever can renounce, the right he claims to absolve his subjects from all earthly allegiance.§ Nor can any Pope ever renounce for himself, or for his delegates, the right of temporal as well as spiritual government. A proposition to that effect was solemnly condemned, not sixty years ago, by the Pope PIUS VI., in his famous Constitution, *Auctorem fidei*.||

Emperor or Parliament may, indeed, as well as the Pope,

*is in quibus jus divinum ortum habet a voluntate humana, prout in votis et jura-
mentis, certum est apud omnes habere Papam facultatem dispensandi. In iis
qua sunt de absoluto jure divino, valde probabilitate, dicunt Suarez et alii plures,
posse Pontificem in aliquo casu particulari non dispensare, sed declarare, quod jus
divinum non obliget.”*—*LIGUORI*, vi. 1119.

“*Pontifex, sine justa causa, non potest dispensare in lege Dei. In dubio de
valore dispensationis, validam censeri. Dispensatio potest impetrari non tantum
pro ignorantia, sed etiam invito.”*—*BUSEMBAUM*, i. 2; iv.

* See any Roman Prayer-Book.

† “If any one saith, that the baptized are so freed from all the precepts, whether written or transmitted, of holy Church, in such wise that they are not bound to observe them, unless they have chosen, of their own accord, to submit themselves thereunto; let him be ANATHEMA.”—*Council of Trent*, sess. vii. can. 8.

‡ “If those whom Christ our Lord has once, by the laver of baptism, made the members of his own body, should afterwards have defiled themselves by any crime, he would have them be placed as criminals before this Tribunal of Penance; that by the sentence of the priests they might be freed, not once, but as often as, being penitent, they should flee thereunto, from their sins committed.”—*Council of Trent*, sess. xiv. c. 2.

§ See note ¶, p. 8.

|| “*. . . . omnibus plene et mature consideratio, complures ex actis et
decretis memoratae Synodi (Pistoriensis) prepositiones, doctrinas, sententias, sive
expresse traditas sive per ambiguitatem insinuatas, suis cuique appositis notis et
censuris, damnandas et reprobandas censuimus, prout hac nostra perpetuo vali-
tura constitutione damnamus et reprobamus.*

“*Sunt autem que sequuntur :*

“4. *Propositio affirmans*, abusum fore auctoritatis Ecclesiae, transferendo illam ultra limites doctrinæ ac morum, et eam extendendo ad res exteriores et per vim

make laws, and command them to be obeyed. But to the right which they claim in common, of enforcing them by present punishments, the Pope adds the awful prerogative of jurisdiction in the world to come.

By the side of such, so imposingly divine, so ubiquitous, so omnipotent an organisation, once recognised, the strongest human government is but as a child at play, *ludibrium verius quam comes*. A polity ordained, constructed, kept up by the Almighty, with his appointed Vicar for its head, must stand alone. When he, the Vice-God, “sitteth upon the circle of the earth,” “the inhabitants thereof are as grasshoppers,” “the princes are brought to nothing, the judges of the earth are made as vanity.”

No man understood this clear conclusion better than the great Jesuit Mariana. Kings might dream of rights divine. Priests only are of God. For the rest of rulers, their authority all “is of the earth, earthy.” They are raised up by the people, and when their creator dooms them, the hand of any self-offered executioner may lawfully carry out the sentence.* To kill a king whose people have in their hearts condemned him, is not assassination, no crime, but heroic virtue, provided only

exigendo id quod pendet a persuasione et corde ; *tum etiam*, multo minus ad eam pertinere exigere per vim exteriorem subjectionem suis decretis.

“ *Quatenus illis indeterminatis verbis* extendendo ad res exteriore *notet, velut abusum auctoritatis Ecclesiae, usum ejus potestatis accepta a Deo, qua usi sunt et ipsimet apostoli, in disciplina exteriore constituenda et sancienda.*”—HÆRETICA.

“ 5. *Qua parte insinuat, Ecclesiam non habere auctoritatem subjectionis suis decretis exigendæ aliter quam per media quæ pendant a persuasione ; quatenus intendat Ecclesiam non habere collatam sibi a Deo potestatem non solum dirigendi per consilia et suasiones, sed etiam jubendi per leges, ac devios contumacesque exteriore judicio ac salubribus paenit coercendi atque cogendi.*”—Ex BENED. XIV. brevi Ad assiduas. INDUCENS IN SYSTEMA ALIAS DAMNATUM UT HÆRETICUM.”—Decr. de Fide, 13, 14. What the punishment considered “salutary” for heresy is, is well known. A few other of those by which Rome, in a decree “*de fide*,” declares her Divine right “to coerce and compel the erring and contumacious,” are enumerated by the Council of Trent. “In civil causes, which in anyway belong to the ecclesiastical court, it shall be lawful for the ecclesiastical judges, *if they deem it expedient*, to proceed against all persons whatsoever, even laymen, and to terminate suits by means of pecuniary fines ; which, by the very fact of being levied, shall be assigned to the pious places there existing ; or by distress upon the goods, or arrest of the person, to be made either by their own or by other officers, or even by deprivation of benefices, and other remedies at law. But if the execution cannot be made in this way, either upon the person or goods of the guilty, and there be contumacy towards the judge, he may then, in addition to the other penalties, smite them also with the sword of ANATHEMA, *if he think fit*. . . . And every excommunicated person, who, after the lawful monitions, does not repent, shall not only not be received to the sacraments and to the communion, and intercourse (*familiaritatem*) with the faithful, but if, being bound with censures, he shall with obdurate heart remain for a year in the defilement thereof, *he may even be proceeded against as suspected of heresy*” (that is, if it be deemed expedient).—Sess. xxiv. de Ref. c. 3.

* “ *Principem, publicum hostem declaratum, ferro perimere eadem facultas est cuicunque privato, qui, spe impunitatis abjecta, neglecta salute, in conatum juvandi*

it be done without a fee.* Unreasoning Europe may be forgiven that it was startled and rose against this fearful development of papal truth; but, all honour to the Jesuits and their General, the brave old Aquaviva: firm in conscious logic, they out-faced Europe, and neither retracted nor condemned the doctrine. With the courtesy of greatness (the Jesuits then, as now, reigned in Europe), Aquaviva regretted its publication, and forbade it to be any longer taught in his Society; but that was the limit of conscientious concession. The doctrine was as true as Popery, and just as old; only the developments of Popery, like other developments—those of steam, for instance—are sometimes novel and unlooked for.

There is then, in the eyes of the truly "faithful," but one authority on earth that is of God; but one polity, whose organisation is divinely sanctioned; but one which is, of itself, legitimate. Christ's Vicar, if Christ be God and the Pope be recognised for his Vicar, is King of kings and Lord of lords. It is his delegates alone that everywhere govern supreme *de jure*, whoever may be *de facto* sovereign and usurp supremacy. The first obedience of the baptized, the only obedience which no power can absolve them from, is to God's representative. They belong to an empire, in the world indeed, and above it, but not of it; and it is only in the eyes of the benighted, that all men are "members one of another."

Hence also flow developments that, perhaps, may startle the unthinking. The natural obligations of truth are founded on relationship. "Wherefore, putting away lying, speak every man truth with his neighbour; for, we are members one of another." But there is no relationship without society. There

republicam ingredi voluerit (p. 60). *Qui rotis publicis favens, eum perimere tentavit, haud quaquam inique eum fecisse existimabo* (p. 60). *Est quidem majoris virtutis et animi similitatem aperte exercere, palam in hostem reipublicæ irruere; sed, non minoris prudentiæ, fraude et insidiis captare, quod, sine motu, contingat minori certe periculo publico atque privato* (p. 65). *Aut in apertam vim prorum-pitur seditione facta, armisque publice sumptis . . . aut majore cautione, fraude et ex insidiis pereunt, uno aut paucis in ejus caput occulce conjuratis, suoque periculo, reipublicæ in columitatem redimere satagentibus. Quid si evaserint? Instar magnorum heroum in omni vita suspiciuntur. Si secus accidat; grata Superis, grata hominibus Hostia cadunt, nobili conatu, ad omnem posteritatis illustrati* (p. 65).¹ Strange to say, Mariana (or the Order) had a scruple about making the sovereign accessory to his own death, as being contrary to the doctrines of the Church; so that, if poison is used, he requires that *exterius ab alio adhibeatur, nihil adjurante eo qui perimendus est*. But then, he suggests, some poison is of such strength, *ut sella eo aut vestis delibuta, vim interficiendi habeat* (p. 67).—*De Rege et Regis institutione*. The book was printed by royal permission, and, with all the prescribed caution of the Order of Jesuits, declared to have been duly examined by "grave and learned doctors," and sanctioned by the name, not only of the local provincial, but by the visitor, or plenipotentiary of the general.

* "Non censeri assassinos, nisi qui homicidium patrant cum pacto, ut mandans aliquod temporale eis persolvat."—*LIGUORI*, iv. 364.

are no members apart from the body they belong to. And God's Vicar knows but one society, the Church of Rome; but one body, that of which he is the head. They only are members one of another who are united together by the priest in the confessional. The Council of Constance decreed that no law, divine or human, required faith or promises to be kept with a heretic.* Even the famous decree of the Council of Trent, "conceding the public faith" to Protestants, made that concession only to those of Germany; and in thus derogating from the right and power of the Church of Rome, and notably from the canons of the Council of Constance and Sienna, that "sacrosanct Council" declared it did so only in that one regard, and for that one occasion.†

As the "faithful" of the Church are thus separated wide from the unfaithful (all heretics are infidels),‡ so are they taught to cling more closely to each other. Thefts, adulteries, murders, committed by the true believer, may be concealed, even at the expense of what we call perjury;§ but the crime even of secret heresy, nay, even of suspected heresy, stands in another category. With a heretic all bonds are *de jure* broken; and it is only by a cursed necessity that they may be submitted to *de facto*. No matter what may be the danger of the denunciation, no matter what may be the fate of the denounced, the brother is bound, as he hopes for heaven, to betray his brother,

* " *Nec aliqua sibi fides aut promissio, de jure naturali divino et humano, fuerit in præjudicium Catholice fidei observanda.*"—In the case of JOHN HUSS.

† " Furthermore, it (the Council) promises in sincere and good faith, without fraud or deceit, that the said synod will neither openly nor covertly seek for any opportunity; nor make use of, nor suffer any one else to make use of, any authority, power, right, or statute, privilege of laws or canons, or of any councils whatsoever, especially those of Constance and Sienna, under what form soever expressed (to the prejudice in anyway of this public faith and most full security, and of the public and free hearing, by this said synod granted to the above-named), derogating from the aforesaid in this regard and for this occasion."—*Council of Trent*, sess. xv.

‡ " *Infidelitas contraria ex triplici modo repugnandi fidei est triplex, scil. Paganismus, Judaismus, et Hæresis.*"—*LIQUORI*, iii. 17.

§ " *Hic notandum, CERTUM esse, quod judici non legitime interroganti testis non tenetur fateri veritatem: tunc enim poterit licite respondere, etiam cum juramento, 'crimen nescire,' ita ut teneatur illud ei manifestare.*"—*Ibid.* v. 265. " *Etiam legitime et juridice interrogatus, non teneris testari sequentibus casis. . . . III. Si ex testimonio, tibi, vel tuis, immineat notabile damnum: . . . Unde communiter non teneris testari contra consanguineum.*"—*Ibid.* v. 268.

" *Adde quod laici, in criminalibus, repelluntur a testificando contra clericos. In aliquo tamen casu, possunt Episcopi uti laicis testibus probatae vitæ ad probanda crimina suorum subditorum: e converso, clerici et religiosi possunt testificari contra laicos, etsi ad hoc non possunt compelli a judice seculari. Ex præfato tamen textu clare deducitur, nou posse clericum testificari coram judice seculari, sine licentia sui superioris.*"—*Ibid.* v. 261.

the child his own father, the wife her husband.* And not only is this denunciation of the nearest and dearest a bounden duty, but the fierce zeal that would lead a man voluntarily to assist in torturing the doomed heretic is, to this day, solemnly set forth in the public liturgy of Rome as a blessed title to canonization ; and year after year the people of Italy and Spain are summoned to kneel before the altar of "St. Ferdinand of Castile," and bless God for the model-king, who, whenever a heretic was burnt, rushed forward, and with his royal hands heaped fagots on the pile, which, as he believed, anticipated hell.†

In the mind of Rome, then, the "faithful" in this kingdom are living, if not with their enemies, at least with God's. Queen, Lords, and Commons, fall under scores of Tridentine ANATHEMAS, each one equivalent to "greater excommunication." The want of power it is alone, as Bellarmine owns frankly, that justifies submission to them. But at least, *in foro conscientiae*, their pernicious laws are no laws,‡ and all civil allegiance is only *salvo jure superioris*,§ or until entirely dispensed from by some papal delegate. One obligation only is ever undoubted, one allegiance only and always unalterably due—that, namely, to God in the person of his Vicar. One fountain of law only flows for ever pure in the midst of error ; and, as of old, "the lips of the priest kept knowledge, and the people were to seek the law at his mouth," so now, in fulness of papal developement, all are commanded to kneel at a priest's feet, not only for pardon of the past, but for guidance and direction in whatever concerns

* "Quæritur, an sit obligatio denuntiandi hæreticos cum periculo gravis damni ? Distinguendum ; si denuntiandi sunt tantum suspecti de hæresi, ut sunt sortilegi, blasphemi, confessarii sollicitantes, abutentes sacramentis, commune est non esse tunc obligationem. Si vero denuntiandi sint hæretici formales, etiam excusare periculum gravis dænni, nisi illi dogmatizent, tenent Mazzochius, &c. Sed verius oppositum est tenendum. Ratio quia hæresis formalis de se serpit ut cancer.

** "Quæritur, an teneamur denuntiare conjunctos, quos hæreticos formales noterimus ? Fratres sine ullo dubio, tenemur denuntiare : filios vero a denuntiantibus parentibus, excusant, Abulensis et Simancho. Sicut ibidem Bona, Filliucceus, Barbosa, &c. excusant etiam uxores a denuntiando viros suos. SED DICENDUM OMNES AD DENUNTIATIONEM TENERI ; ex eadem ratione ut supra, quia hæresis est pestis ita noxia."—LIGUORI, v. 249, 250.

† "In eo REGIÆ virtutes emicuere, magnanimitas, clementia, justitia, et, præ cæteris Catholicæ fidei zelus, ejusque religiosi cultus tuendi ac propagandi ardens studium. Id præstítit in primis Hæreticos insectando, quos nullibi regnorum suorum consistere passus, propriis ipse manibus ligna comburendis damnatis ad rogum adrehebat."—In Festo S. Ferdinandi III. die v. Junii : *Breviarium Romanum*. Romæ, 1843.

‡ "Quando lex evadit perniciosa non obligat . . . Lex bono communi non conveniens non est lex, neque obligationem inducit."—LIGUORI, vi. 612.

§ "Conditiones quas in quovis promissorio juramento tacite subintelligi natura et doctores docent. Tales autem sunt, 1. Si potero ; 2. Salvo jure superioris ; 3. Nisi res notabiliter mutetur ; 4. Nisi obligatio tollatur."—Ibid. vi. 187.

his soul,—that is, in every responsible action of his life.* What, then, is the papal code according to which England is now to be “governed” into another Ireland, by means of its Roman bishops, and some forty or fifty scores of priests and their “tribunals?”

CHAPTER IV.

PRACTICAL MORALITY.

WHILE the power of the Pope was acknowledged over “temporals” as well as “spirituals,” there was little need of any separate code of morals. The famous *canones concilii Illiberitani* hardly fill ten pages of a modern octavo volume. Before the fifteenth century the works of casuists were few; and modern Roman Doctors naïvely express their wonder at the few and imperfect helps with which primitive and mediæval confessors managed the difficult administration of their “tribunals.” But it was in the sixteenth century, when Rome was threatened by the spread of learning, and the breaking out of intellect, that she sharpened her wits apace for the encounter of these enemies. Then appeared Gerson and Bernardin of Sienna. Then was invented, by Bartholomew Medina, that light of the Dominicans, the grand doctrine of Probabilism; but its mighty application was undreamt of by the inventor, and the friar-preachers allowed it to be snatched from them by that new and ambitious order, which, but for Luther, Calvin, Cranmer, and the like, might at this hour be governing Europe, as the old Scythians governed their slaves, by precautionary blindness unrelentingly inflicted.† The strong foundations laid by these enemies of Rome and darkness, together with the invention of paper and the art of printing, made a new and well-digested casuistry indispensable. One-half of Europe was openly in revolt, and the other of but doubtfully sincere adherence. What armies and the treachery of princes could do was done; but there still remained a great work for the Jesuits. To conciliate civil governments by *concordats* which bound all

* “In the Catholic Church no one is ever allowed to trust himself in spiritual matters. The Sovereign Pontiff is obliged to submit himself to the direction of another in whatever concerns his own soul.”—N. WISEMAN: *Preface to “Exercises of S. Ignatius Loyola.”*

† If any one, at the time of entering the Society of the Jesuits, should, by a special blessing, be ignorant of the heathen arts of reading and writing, it is strictly forbidden by the Constitutions to rob him of so manifest a help to that blind obedience which, in the eyes of Rome, constitutes *Christian perfection*!

but herself; to maintain the “faithful” in their only legitimate allegiance, and yet keep up a seeming loyalty to temporal sovereigns and a seeming submission to public conscience and the laws of a common humanity, while she repudiated the authority of both, was the task that Luther bequeathed to Rome: and Rome once and again has deputed the Jesuits to its fulfilment. The plan which they adopted has been sketched already, but to appreciate it rightly it must be looked at in detail, and made clear by illustrations.

Luther never exercised his hostility to Rome more wisely or more successfully than in attempting to re-establish the rights of conscience. Not that the rights of conscience had ever yet been directly impugned by Rome, but, like its duties, they had fallen into very general desuetude; partly from the proscription of private judgment, and partly from the habitual annual reckoning made in the confessional, to which reckoning doubtful, and, indeed, undoubtful cases, were easily postponed. Luther, however, brought back throughout all Europe a disposition once more to appeal to the long-forgotten moral sense of peoples and individuals. The evil was a fearful one for Rome. Northern Europe was gone. Middle and Southern must follow, if this King Conscience and the natural distinctions of right and wrong were to get possession of men’s minds. With Ignatius Loyola, whom his idolaters may well call the Columbus of the Papal Church, there was a remedy discovered.

Other founders of religious orders had only applied the obligations of obedience to the things referred to in their own rules and practised within the walls of their own convents. They never dreamt of extending them to others than the members of their own brotherhood. But the fascination which Loyola threw around obedience, as shown not by monks within their cells but by accomplished men in the world, was destined to bring into captivity the whole body of the “faithful.” The banner of obedience was set up as the great antagonistic principle that was to make the power of Rome at once universal, consistent, and indestructible. The new order, militarily organised, was to wage war not so much against sin as against individual responsibility to individual or even to universal conscience. Who that has a heart, who that has senses, but must know himself and those around him liable to error? How many a time the wariest act before all doubt has been cast off, and thus sin certainly in their uncertainty! But obedience saves from passion, saves from self-love, saves from doubt, saves from sin, and yet gives larger, freer scope to every imaginable human appetite. The wild denizen of the forest roams not so unrestrained as he acts freely whose merit before God is not to

feel the checks of his own reason, but to stop only when the gentle curb of a confessor pulls him in.

The first use made by Loyola of the doctrine, and that use has never been intermitted, was to bring into public exercise heroic self-denial on the part of some of the Jesuits themselves and their "directed." To deny the virtues or to doubt the sincerity of men who, like Charles Borromeo, scrupled to behold his own foot naked; or of Louis Genzaga, whose modesty revolted from looking his mother in the face, is ignorance or prejudice. Obedience, indeed, as we shall see, may open the door wide to almost inconceivable iniquity; but it can make men go beyond conception also in acts of faith, and hope, and charity. Such virtue, however, must always be individual; the mass of men, in throwing off their conscience, do not sin less, but only more contentedly. And this, though not what Loyola ever purposed in himself, was the real secret of his success. His stupendous "Constitutions" grasped at all believers. Once ensnared, they were to be tethered close and fed on scanty herbage, or they were to have hills and valleys for their pasture, just as was expedient, — *ad diuturnitatem dominationis*. The obedience that was obtainable was all that was required.

"Tell me, Father Herbert," asks a timid girl, "if Charles Percival should, should —?"

"If Charles Percival proposes for you, are you to accept him? is what you mean to say, my daughter. God has better things in store for both of you, my daughter, — *de si belles ames!*!" And then he opens to her stores of mystical eloquence, and tells her tales of St. Teresa and St. Valburge, and their heavenly Bridegroom; and points out the royal road of suffering, and sorrow, and self-forgetfulness that He walked in; and how He told us we must follow His example, and how He offered glorious temptations of a hundred-fold reward to her that would abandon father, and mother, and husband for Him; and as the priest sees her tears fall fast, and her eyes raised up to heaven, he feels that the world and timid, misunderstood Charles Percival are fading away before another vision. The heart, that seemed rejected, has been offered up to God; and the resolution is scarce made before it is changed to a solemn, secret vow.

"May I tell mamma, or sister Mary?"

"God forbid, my daughter! St. Liguori forbids it most expressly."*

* "Ex his omnibus concluditur non solum non peccare filios religionem assumentes parentibus inconsultis, sed, ordinarie loquendo, valde errare, si participes eos faciant de sua vocacione, ob periculum cui se exponunt se ab illa averti, et hoc utique confirmatur ab exemplis tot sanctorum." —LIGUORI, v. 68.

And the timid girl leaves him, already cut off from every darling tie, before even the convent-gate has opened to receive her.

“ Father Herbert, I want a dispensation !” cries out beautiful Mrs. Harry Vernon, as she flings into the study, not ten minutes afterward. “ I can’t stand this fasting : I never have fasted, and I am sure I never can.”

“ You never have fasted, Mrs. Vernon, because you were only twenty-one last Christmas ; and how do you know if you *can* fast or not, since Lent only began yesterday ?”

“ But papa has a dispensation, and mamma has a dispensation !”

“ Your father is nearly sixty, and suffers from dreadful headaches ; and your mamma, you know, is quite too delicate, since her long illness, to think of fasting. Now, nobody can set up a claim of ill-health for you.”

“ Well, Father Herbert, Vernon says he’ll hate me if I fast ; and I am quite sure he will, for he hates all thin women : he says it is a penance to look at Cousin Fanny, and that he’d rather sleep with Cæsar than a bony woman. And what with these musical *soirées* in Lent, and being for ever on horseback, if I fast I am sure to be a skeleton. Father Herbert, I can’t stand it ; Vernon will quite hate me.”

“ Well, Mrs. Vernon, if your husband hates thin women that alters the case, certainly ; for fasting does make *some* people thin, and might make you so ; and St. Liguori says expressly that a wife’s fasting must be given up if it should make her person ungrateful to her husband.”*

“ Thank you, thank you, dear Father Herbert ! Am I to do anything to make up ?”

“ You may say three ‘ Hail, Marys !’ every day,—not as a condition, so have no scruples, but—as an act of humility that you are denied the privilege of keeping this holy precept of the Church.”

Mrs. Harry Vernon is ready to kiss dear Father Herbert, and would almost as soon think of giving up her husband as her confessor ; but she is no less obedient than her broken-hearted cousin,—dark, bright-eyed Fanny Fenton.

* “ *Ob labores præcedentes et subsequentes posse aliquem excusari (a jejunio) si probabiliter debilitatus vel debilitandus putetur, ita ut officio ritè fungi nequeat. Ex eodem capite, doctores excusant conjugem, si debitum reddere non possit, quando jejunat: uti et uxorem quæ ob maciem non possit eum jejunio se viro gratam præstare.*” —LIGUORI, iv. 1031. Any one may be excused from fasting on account of preceding or subsequent labours, if he shall think it probable that he has been or will be weakened so that he cannot properly perform his duty. Under the same head the doctors excuse a wife if she cannot fulfil the duties of a married woman to her husband when she fasts. The rest is untranslatable !!

Within a day or two Lady Fitzjames comes in great tribulation to the same dear Father Herbert (her husband is a Protestant, and has forbidden her ever to give a shilling to the priests without his knowledge).

“ Dear Mr. Herbert, I hope I did no wrong in giving Father Pizzicotto the 100*l.* for building his beautiful little chapel at Long-hurleigh? I am sure you told me Fitzjames had no right to meddle with my charities.”

“ You did perfectly right, Lady Fitzjames; Lord Fitzjames is most unreasonable, and St. Liguori says distinctly you may take without his knowledge at least the twentieth of his income.”*

“ Oh, Fitzjames has a great deal more than 2000*l.* a-year, but he is in a great rage at something, and I think that wretched Burnet has been telling him I gave money to a priest; though how she ever dreamt Father Pizzicotto was a priest puzzles me, for he was dressed in a dandy, very dandy shooting-jacket, and came as a tradesman, and I never should have known him, I do believe, if his card had not been in his own handwriting. But what am I to do? What am I to say, if Fitzjames asks me? I can’t bear to lie to him, for I know he will believe every word that I tell him; and I can’t bear to say that Burnet lies, for really Burnet is truth itself, and goodness itself, though I know she watches me.” (Mrs. Burnet was the housekeeper that had been given her by old Lady Mountjoy, Lord Fitzjanes’ mother.)

“ Lady Fitzjames,” says grave, gentle Father Herbert, “ if Mrs. Burnet is half of what you think her she will be quite ready—nay, grateful to God, to atone for her indiscretion by sacrificing her reputation to your good opinion with Lord Fitzjames. But is there any possibility of her proving that you gave the money to Father Pizzicotto?”

“ Oh, none in the world!—quite impossible!—I took precious care of that! She only brought me my little writing-case, which she knows I keep the money in.”

“ Then, Lady Fitzjames, you must put a good face on it. If

* “ *Uxor potest dare eleemosynam et munera secundum consuetudinem aliarum mulierum illius loci et conditionis, etiamsi maritus eleemosynas omnes illi prohibeat. Ita LUGO, cum MOLINA et eo aliis, docet posse eam, inscio marito dare vigesimam partem annui census, vel lucri, eo quod hoc pertinet ad decentiam status(?) et maritus irrationaliter sit invitatus. Hinc etiam potest cum Abigail moderatas eleemosynas dare ut mariti conversionem impetrat, vel ne Deus illum puniat.*”—LIGUORI, iv. 540. A wife can give alms and presents according to the custom of other women of her state and condition, although her husband forbids her. Cardinal LUGO, MOLINA, and ten other doctors, teach that she may, without the knowledge of her husband, give a twentieth part of his annual income or profits, for this pertains to the decency of her station, although the husband be unreasonably unwilling. Hence also she can, like Abigail, give moderate alms (to the priest for masses) that she may effect the conversion of her husband, or lest God should punish him.

Mrs. Burnet has dared to say so, and Lord Fitzjames does ask you, you must coolly say she lied, and deny the whole thing flatly. I will read you what our great Saint says: "Provided a crime has been committed secretly, so that there is no way to prove it, the guilty person may then say that the accuser lies, and may, moreover, reveal any secret sin of his against him as a means of self-defence."* And lowering his voice into a whisper, Father Herbert asks, "Did Lady Fitzjames ever suspect that the little supposed orphan who died the week that she was married was Mrs. Burnet's child?"

"Burnet's child!—beautiful little Annie, Burnet's child!"

"Hist! hist! Even I never dreamt it. How I know it there is no need to tell you; but I know it, though no other living being does. Tell this to Lord Fitzjames, if it be necessary to be delivered from Mrs. Burnet."

"But, poor Burnet! what would become of her? and she is devoted to Fitzjames!"

"The order of charity, Lady Fitzjames, puts our own honour before another's, even supposing the rank equal, and no high extrinsic reasons. Dry your tears, Lady Fitzjames, and remember this is not your case only, but the Church's also. '*It must needs be that scandals come, but woe to that man by whom the scandal cometh!*'"

Poor Lady Fitzjames! more to be pitied far than poor Burnet! God asks of no human being what she has given to Father Herbert; she stands before him, not a woman, not a slave with free convictions, but a *thing*, a thing of his. She has sold her soul, renounced herself and God, who made her for his reasonable service. All that is left of her for herself, her husband, and her children, is the chattel of a body with its animal instincts and affections.

Father Herbert's next conscience is a dairy-maid's. Her story is short and clear. She has only ten pounds a-year wages, while Susan Slater, Mr. Cracraft's dairy-maid, has fifteen pounds, and there is no use in speaking to her mistress; she would

* " *Si reus vere commisit crimen sed occulte, ita ut nullo modo probari possit, utrum tunc possit dicere accusatorem mentitum frisse; vel possit opponere crimen illius occultum?* *Affirmat CORELLA, et probabile recte putant SALMANTICENSES et RONCAGLIA, quia accusans reum de crimen omnino occulto, censetur in jure ac si de crimen falso accusaret et calumniam afferret. Et ob eamdem rationem dicunt SANCHEZ et alii posse eum revelare delictum occultum testis ad sui defensionem.*"—*LIGUORI*, v. 278. Suppose the accused has really committed a crime, but so secretly that it can in no way be proved, can he then say that the accuser lies, or can he set some secret crime of his against him by way of proof? CORELLA affirms, and SALMANTICENSES and RONCAGLIA think probably rightly, because accusing a man of a crime altogether hidden, is held in law as false witness and calumniating. And for the same reason SANCHEZ and others say that he can reveal any hidden crime of the witness in his own defence.

only lose her place. "Is there no way," asks gentle Father Herbert, "that she can pay herself the remaining five pounds which is her due?" Oh, yes! a very easy one! She sells the surplus butter. "God bless you, my child; but be very careful, for fear of scandal." And the dairy-maid thanks God that she does not keep her conscience for herself. But Father Herbert was quite right. Here are the great Saint's words:—' Servants commit no sin, should their master refuse them just wages, if they secretly balance accounts for themselves; provided always that there be no other way, that they take no more than their due, and that there is no fear of scandal or other serious mischief.'*

Father Herbert's last penitent that day is our friend the dairymaid's master's eldest son. Small blame to his proud old father for husbanding his resources, for he has thirteen children. This boy of his, as he said, had gone down into Snobland to look for a wife, and had found one that father and son both thought they might not be much ashamed of. The young people had been engaged a year; for old Hibbert would not allow his daughter to marry till she was twenty. Frank Furnival would have run off with her, for he was horribly bored with the *connexions*, but the rich railway director might cut him off with some twenty thousand or so, and he would rather marry a certain cousin of his at that price. All of a sudden comes a smash. Old Hibbert is ruined. He has given up all, and is living on an allowance. Frank Furnival wants to know if he is bound by his engagement. Grave Father Herbert says, "that depends. A betrothment is a sort of promissory vow: a religious sanction is attached to a certain intention. The intention is principal, the sanction is accessory; the accessory follows the principal. The vow follows the intention, and is to be explained accordingly. Now it may happen, that by keeping the vow you would act contrary to your intention, which is clearly what you are not bound to do. If your intention was to marry a rich girl, or a pretty girl, and she turns out poor, or is pitted with the small-pox, the obligation ceases to exist. This is the decision of St. Liguori, or rather, let me say, the decision of the Church, for the Church answers for every decision of St. Liguori."†

* *"Famuli non peccant, si, sustentationem vel mercedem justam domino negante, utantur compensatione occulta, dummodo tamen, alius modus non sit impetrandi, nec plus accipiatur quam debetur, neque scandalum, aut aliud incommodum grave timeatur."*—LIGUORI, iv. 349. Servants do not sin if, when their masters refuse them support or just wages, they take secret compensation, so long at least as there are no other means of effecting it, and no more is taken than ought, and no scandal or other inconvenience to be feared.

† *"Iuramentum promissorium eamdem habet conditionem, eodemque modo*

Our whereabouts is now transferred to the sister island. Fat Father O'Flannigan keeps the conscience of two lords, a score of squires, and some three thousand of her Majesty's supposed lieges, in the parish of Ballinadrum.

"Father O'Flannigan," says a little man, "Father O'Flannigan, Mat D'Areey won't hear a word about fighting. He swears by all the saints it's a horse-whipping he'll give me the first time we meet. Father O'Flannigan, what's to be done with a clean conscience?"

"It is not a thing I should like to advise, Mr. O'Shaughnessy; but it is quite in the line of your duty to shoot him."

"By J——, Father O'Flannigan! it is just what I have been satisfied of all the while, and I have challenged him three times, besides once on the floor of the House."

"You misunderstand me, Mr. O'Shaughnessy: sending a challenge is a delicate question in morals, which, I understood from yourself, we were not now to touch on. This is a case of defence against aggression; not of life, indeed, but of honour, *bonum prstantius*, Mr. O'Shaughnessy; and now we shall see St. Liguori. Here it is, chapter and verse:—'For a mere contumely; for example, an honourable gentleman is told *that he lies*; it is not allowed to put the offender to death, for there is another way of wiping off that, and one sanctioned by custom: but the thing is quite different if one should offer to lay a whip or the palm of his hand on any particularly honourable gentleman, and there is no other way to avert it, Diana—not the heathen divinity, Mr. O'Shaughnessy, but one of the great lights of the Church—Diana, Lessius, Hurtado, and twelve other doctors, teach that it is lawful to slay the aggressor on the spot.* There is no sinning in such company; and though holy

explicandum est, quo promissio vel propositum, cui est annexum. Ratio est, quia, accessorum sequitur principate, ideoque, quando non obligat promissio, nec obligat juramentum appositum. Unde resolvet, Titius, qui cum juramento, promisit nuptias Berthae diviti, sanæ, etc., non tenetur stare juramento postquam Bertha incidit in paupertatem vel infirmitatem, quia promissio non obligat eo casu.'—
LIGUORI, iv. 180. An oath with a promise has the same condition, and is to be explained in the same way, as the promise or intention that is annexed to it. The reason is, because the accessory follows the principal; and so when the promise does not bind, neither does the oath annexed to it. Thence resolve that Titius, who with an oath promised to marry Bertha rich and well, &c. is not bound to marry her if she become poor or sick, because in that case the promise is not obligatory.

* "Etsi ob contumeliam aliquam, verbi gratia, si viro honorato dicatur, mentiris, non liceat alterum occidere, eo quod aliter repellere possit, ac soleat, licere tamen, si aggressor fustem, vel alapam viro valde honorato (an M.P., for instance) impingere conaretur, quam aliter avertere non posset, docent, cum Diana, Lessius, Hurtado, et alii 12. Sed in praxi rarissime uti licet prædicta opinione, nam Sitvius, recte sic ait," &c. — *Ibid.* iv. 381. Although on account of any contumely, such as if a gentleman is called a liar, it is not lawful to kill another, because it may be repelled otherwise, and Diana, Lessius, Hurtado, and twelve others think that it is lawful only if the aggressor should try to strike with a stick or hand, which cannot be otherwise prevented, &c. .

Liguori has found out a certain Don Sylvio, who stands by himself in his singular opinion, who says that it is very *rarely* that this opinion should be put into practice, his own (the Saint's) opinion is quite clear on the side of authority ; and I hope, Mr. O'Shaughnessy, you are provided with one of the patent revolvers ?"

That day week Father O'Flannigan celebrated a solemn dead mass for the repose of the soul of poor Mat D'Arcey, who died "of a gun-shot wound inflicted by some person or persons unknown." And of all the crowd that "assisted" at that sad mass, there was no one dreamt less of compunction than the fat easy celebrant. He bore malice to no man. If the gentlemen had changed places, his advice or his information would have been exactly the same. It was purely professional ; and though given with national relish, was given conscientiously, the true Catholic doctrine of the holy Catholic Church, as laid down by an authority pronounced to be infallible.

To account for the next "penitent," it should be mentioned that Father O'Flannigan was educated in the "Eternal City," and had all the benefit of the learned lectures and argumentations of the great *Collegio Romano* itself. The tall, fine-looking Hercules that just enters, is Mister Roe, domestic chaplain to the old Earl of Kilmallock. He boasts of but small store of theology, but amply makes up for that by his knowledge of horses, and is the very best rider in all county Clare.

"Here is an ugly business, Father O'Flannigan—a question of irregularity ;" and, dropping on one knee as he takes off his hat, he repeats the first half of the *Confiteor*, the form of beginning confession,—which puts everything *sub sigillo* ; and Father O'Flannigan politely bids him be seated. "I've murdered young Grogan, Father O'Flannigan."

"Pray who is young Grogan, my dear ?" says Father O'Flannigan.

"Why, he is the late gardener's small son-in-law," replies Mister Roe ; "and the question is, Can I sing mass upon Sunday or not ?"

"How did the thing fall out, Mister Roe ?"

"Why, Father O'Flannigan, to tell you the truth, as I am bound by the Sacrament, I was not precisely in the line of my duty, and that is the ground of my scruple. You must know that poor Hunter" [Father O'Flannigan takes it for granted that poor Hunter was the "late gardener"] "left me his executor, and guardian of his whole family by way of protector, and that brought us together *in occasione proxima* ; and little Grogan, last night, found me where it was quite natural he should little like me to be. The creature just opened his jaws for to

shout, when I seized him tight by the throat, and never left hold of him till the breath was out of his body."

"A very ugly business, Mister Roe—a very ugly business ; and you must give the poor boy a 'character,' to save him from *felo de se*, and have it brought in insanity : but there is nothing to constitute an 'irregularity.' Excusable homicide does not incur ecclesiastical censures ; that is, always supposing you used proper diligence against all risks of that sort."

"Oh ! as for that, Father O'Flannigan, in the natural course of events there could not be considered any danger at all."

"Then that makes the case still clearer by far, my dear ; for Liguori, *distinguendo*, explains, that though the work one is at be ever so criminal, yet if not of itself dangerous, a homicide that accidentally, *casu*, grows out of it, is not to be imputed to the unfortunate gentleman : and here is your own very case set down by the Saint :—'Puta,' says he, '*si adulter cum discrimine inculpatæ tutelæ virum adulteræ occidat.*'* And URBAN II.

* "Oportet hic aliqua addere de homicidio casuali, multum scitu necessaria. Dupliciter contingere potest homicidium casuale, vel dando operam rei licitæ, vel rei illicitæ. Unde has regulas dat S. Thomas (Aquinus) : Secundum jura, si aliquis det operam rei licita debitam diligentiam adhibens, et ex hoc homicidium sequatur, non incurrit homicidii reatum. *Et hoc etiamsi, homicidium in causa prævisum fuerit.* Si vero, prosequitur S. doctor det operam rei illicitæ non evadit homicidii reatum. *Duea igitur sunt regula, quæ in hac materia communiter assignantur.* I. *Quando quis dat operam rei licitæ, et ex ea per accidens sequitur homicidium, iste excusatur, etiamsi illud præviderit, modo non intenderit et sufficientem diligentiam posuerit ad illum vitandum.* II. *Secus vero si dat operam rei illicitæ, et homicidium prævideat quia tunc, licet illud non intendat, et diligentiam adhibeat, ne sequatur, non excusatur.* Sed advertendum, quod ad imputandum huic homicidium, non sufficit quod opus sit per se illicitum, sed requiritur amplius, quod sit illicitum *præcise respectu ad homicidium.* Hinc queritur quod nam opus dicendum sit proprie illicitum respectu ad homicidium ? *Et dicendum.* III. *Quod si opus non sit de se periculosum, quamvis sit illicitum, numquam imputatur homicidium illud exercenti, si casu, ex eo mors eveniat. Puta si adulter, cum discrimine inculpatæ tutelæ, virum adulteræ occidat. Hoc tantum certum est in ordine ad restitutionem.* In ordine vero ad irregularitatem magna est inter doctores controversia an evadat irregularis adulter qui occidit maritum aggressorem ob inculpatam sui vitæ defensionem ? Sententia quam tenent Suarez, Layman, Sporer, cum Filiuccio, Roncaglia et Salmanticensibus, cum Palatio, Concina, Villabolo, Cornejo, &c. *distinguunt, et dicit, quod si, adulter prævidendo invasionem mariti, temere accedit, et illum occidat, tunc fit irregularis ; SECUS, si clam accedit, et cum DEBITA cautela ne a marito inveniatur.* *Et huic sententiae me adjicio.*"—LIGUORI, iv. 398. I must here add some things concerning casual homicide, very necessary to be known. Casual homicide can occur in two ways, either when doing a lawful or an unlawful thing. Whence St. Thomas gives these rules :—According to law, if any one using due diligence does a lawful thing, and from this, homicide occurs, he does not incur the guilt ; and this even if homicide should be foreseen in the case. But if, says the holy doctor, it occurs in doing an unlawful thing, he does not avoid the guilt of homicide. Therefore there are two rules, &c. Hence it is asked, &c., and it is to be said. III. But if the work be not in itself dangerous, although it be unlawful, homicide is never imputed to him who commits it, if by chance death follows. Suppose if an adulterer with distinction of blameless defence kills the lover of an adulteress, this certainly is

c. *Quia te*, decides that, where you are known to have done it casually, *non tua sponte*, you are not canonically culpable. I will read you the whole passage in the vernacular, to quiet your conscience, and save you from distraction whilst celebrating the holy sacrifice. ‘*I must*,’ says St. Alfonso de Liguori (and Father O’Flannigan bowed his head reverentially as he mentioned the name), ‘*I must add here a few things, highly necessary to be known, about casual homicide. Casual homicide may happen dupliciter, while you are after what’s lawful, or quite the contrary. And the angelical Doctor St. Thomas gives these rules*’—*If a man using due diligence in any lawful work that he is at, occasion a homicide, he does not thereby incur the guilt of it, not even though the homicide itself was foreseen; but, adds the holy Doctor, if the business he is in be unlawful, he does not escape the guilt of it.* And there are two rules commonly laid down on the subject. 1. *When a man, doing a lawful work, occasions a homicide, he is excused, even though he foresaw it, provided he did not intend it, and took sufficient care to avoid it.* 2. *If he is doing what is unlawful and FORESEES THE HOMICIDE, then, even though he does not intend it, and uses proper diligence to prevent it, he is not excused. But, it must be taken notice, that in order that the homicide be imputed to him, it is not enough that the work he is at be IN ITSELF unlawful, but it is necessary further, that it be unlawful precisely IN RESPECT TO THE HOMICIDE.*’ Hence arise sundry queries as to what is to be called properly unlawful *præcise* in respect to homicide. And, skipping the two first, Mister Roe, we come at once to the third; and the Saint decides,—‘*It must be held, that if the business you are at be not of itself dangerous, casual homicide is never culpably chargeable on you while engaged in it;*’ and then he gives the case I first

only in order to restitution. But in the order of irregularity, there is great controversy amongst the doctors whether the irregular adulterer may escape who kills a husband attacking him on account of a blameless defence of his life. The opinion which (many) hold, distinguishes, and says that if the adulterer, foreseeing the attack of the husband, rashly proceeds and kills him, then he becomes irregular; but otherwise if he proceeds secretly, and with due caution, lest he be found by the husband: and to this opinion I adhere.

“*Quæritur an occidens alterum ob defensionem libertatis, honoris, pudicitiae vel bonorum temporalium, cum moderamine inculpatae tutelæ fiat irregularis? Sententia communior et probabilior negat. Et probatur ex cap. Quia te, ubi cum quidam Episcopus captus a Saracenis aliquos occiderit ut suam libertatem defenderet, Urban II. ita ei respondit, Sed quoniam non tua sponte id fecisse cognosceris, canonice nullo modo judicaris.*”—**LIGUORI**, vii. 389. It is asked whether killing another for defence of his liberty, honour, modesty, or temporal goods with moderation of blameless defence, becomes irregular? The common and more probable opinion denies it; and it is proved from the chapter *Quia te* of Urban II., where, when a certain bishop taken by the Saracens had killed some that he might defend his liberty, Urban said to him, “But since you did not of your own will know that you had done this, you cannot be condemned canonically.”

mentioned *si adulter*, which you can translate for yourself, Mister Roe. Now, as to the *irregularity*. St. Alfonso says, ‘*That a mighty controversy exists among doctors whether a priest, who, in the position yourself were with Mrs. Grogan, invaded by her husband, should slay him, becomes thereby irregular, considering it is blameless to take care of his life.*’ And the Saint gives the opinion of the string of holy divines that you see here, and to which he declares his adhesion, which is, ‘*That if the priest foresees the husband’s invasion, but makes no account of it whatever, and puts him to death, then he is irregular.*’ No doubt of it, my dear; but quite the contrary, says holy Liguori, ‘*provided he go to the creature secretly, and take the proper precautions not to be caught by her husband.*’”

Mister Roe finished his confession, received absolution, and went away with a load off his mind about the mass of next Sunday. Poor Grogan had, of course, been found hanging from a girder in the roof of his cottage, and, by the kind interference of the lord’s chaplain, was saved from a verdict of *felo de se*, and buried with due Roman rites.

St. Liguori’s next practical commentator is “square” Father Kilmany, living in what is very properly called one of “the disturbed districts.” Of his “penitents” there are now three seated on a bench in the passage, waiting as patiently as any Italian, born and bred to *far l’anticamera*. One by one they are let into the *sanctum* of the father’s study.

“Your reverence,” says Phelim M’Laughlin, squeezing his indescribable head-gear into “no shape at all;” “please your reverence, Lord Skelter’s ‘gentleman’ has just got down at the Star and Garter, and before three days it will be all over with most of us. It is no use to talk of defence, for we have not the means. But what I’m thinking of, your reverence, is to ‘anticipate’ him.”

“You must mind what you are after, Phelim M’Laughlin,” says Father Kilmany; “but, by the law of God, his life is a forfeit;” and after a stirring outburst against the curse of bad landlords and bad agents, he ends by assuring Phelim, on Liguori’s authority, that, barring the risk, there is nothing to hinder his “anticipating” the gentleman—that is, with a ball or a slug!*

* “*Quæstio est, An liceat prævenire aggressorem? Lugo, Bannez, Vasquez, Molina, &c. dicunt, ad occidendum invasorem pro sui defensione, non est opus, ut alter jam incapere ladedere; sed sufficit, si sit paratus ad ladedendum.*”—*Ibid.* iv. 387. The question is, Whether it is lawful to anticipate an aggressor? Lugo, Bannez, Vasquez, Molina, &c. say, that it is not necessary in order to kill an invader in your own defence, that the other should have begun to attack you; it is sufficient if he is prepared to injure you.

Phelim M'Laughlin is not allowed to trespass long on the time of the priest, and Bill Brady succeeds him. Saluting his reverence after his peculiar fashion, he begs to know if it is at all "improper" for him and a few more friends and neighbours to barricade the house of Peter Maloney, and shoot out "promiscuously" at the expected invaders. Father Kilmany, with his finger still on the very same page of his infallible authority, tells him that even a priest or a monk may slay the man who unjustly invades his honour, his property, or his life.*

Once more the creaking door opens and shuts, and a wizened little abortion of manhood whispers to Father Kilmany that, under God, it depends wholly on his reverence whether his life be worth a day's purchase or not. Tim Derry is ready to swear before the "cowner" to-morrow that it was he, Luke Donohue, that murdered Dolly Binns for the sake of the forty gold pieces he had got as her heir; "and I'm as innocent, your reverence, as the babe unborn."

"What proof has Tim Derry?"

"None under the sun, your reverence, barring he saw us, the night of the murder, alone together, crossing the 'lame' bridge."

"Can you leave the country in time, Luke Donohue?"

"Never a chance. Tim Derry's cronies are at the heels of me all the day long; and though it is mighty harmless they look, I know they mean hanging."

"And what do you think of doing yourself, Luke Donohue?"

"I have never missed aim these twenty years, your reverence; and Tim Derry crosses the lame bridge every night of his

* *"Silvius tenet licitum esse occidere aggressorem rerum, si sint magni momenti, et non possint aliter aut defendi aut recuperari, quam per mortem diripientis. Idem docuit olim Divus Raymundus, qui dixit: Non possum repellere a possessione nisi illos occidam, et sic erit licita talis defensio."*—*LIGUORI*, iv. 383. Silvius holds it lawful to kill one who attacks your property, if it is of value, and cannot be otherwise defended or recovered again, than by the death of the robber. The divine Raymund formerly taught the same, who said, "I cannot repel them from my possessions unless I kill them, and thus this defence is lawful."

"Quæritur, An liceat etiam clericis et religiosis occidere injustum aggressorem suorum honorum magni momenti? Affirmant probabilius cum Busembaum, Lugo, Elbel, et Salmantenses, cum Lessio, Becano, et aliis communius, quia jus defensionis est de lege naturali et ideo unicuique competit."—*Ibid.* iv. 384. It is asked, Whether it is lawful for clergy and monks to kill an unjust attacker of their valuable goods? Lugo and others affirm this as more probable, because the right of defence belongs to natural law, and, therefore, competent to every one.

"Quæritur, An liceat occidere invasorem pudicitiae? *Si licitum est hoc ad tuendum honorem, et facultates, multo magis dicendum licere pro tuenda pudicitia.*"—*Ibid.* iv. 386. It is asked, Whether it is lawful to kill the invader of chastity? If this is lawful for defence of honour and goods, much more it is lawful for defence of chastity.

life, all alone, as he comes from Dolly Binns's godchild, the girl he's a-courting."

"It is an awful thing, Luke Donohue," says Father Kilmany, "to send a poor soul to his reckoning without oils or viaticum; but you have a perfect right to take care of yourself. I can't enjoin it on you to shoot him—God forbid! but I cannot pretend it is a sin."*

Cursed in the moral laws that govern her people, poor Ireland is still more cursed in the "tribunals" where these laws are administered. This same Father Kilmany, two years before, had, as confessor, authorised the English wife of an Irish gentleman to poison her husband, under the conviction that he had resolved her death. It was the hallucination of guilt, confirmed by a lie of her seducer, the agent of the murdered gentleman. The story was believed readily by the wretched priest, and St. Liguori taught him the rest.†

Father Kilmany was, if ever man was, just what his *religious* education had made him, an odd mixture of dandyism, dirt, and divinity, and habitually selfish. A monk by education and by vow, the missionary character of Ireland threw him into the world, freed from all the restraints of obedience and poverty, and at the mercy of all the temptations of unaccustomed liberty and superfluous wealth. In the midst of indescribable misery, there were heavy rings of gold on his fingers, a heavy chain of gold on his breast, and a heavy pencil-case of gold in his pocket. Some of the gewgaws on his table would not have been out of place on that of a duchess. His umbrella was of some beautiful wood, exquisitely inlaid with silver; and he had had stolen from him in Dublin a watch and seals, for which he had paid 50*l.* Even his notes were for the most part written on gilt-edged paper. He took the world and the church as he found them. Death

* "Dicunt alii, ut Sanchez et alii, licere occidere eum qui apud judicem falsa accusatione, aut testimonio, &c. id agit unde certo tibi constet quod sis occidendum, vel mutilandum, vel etiam AMISSURUS BONA TEMPORALIA, HONOREM," &c. "Prafata opinio damnata est in Prop. 18 pros. ab Alex. VII. 'Licet interficere falsum accusatorem, falsos testes, ac etiam judicem a quo iniqua imminet sententia, si alia via non potest innocens damnum vitare,'"—*Lig. iv. 388.* [But Father Kilmany made a "distinction." The whole proposition was condemned, but not the details of it; and besides, an "imminens sententia" was one thing, and certain death quite another.] Others say, as Sanchez and others, that it is lawful to kill him who before a judge by false accusation, &c. does that which is certain to be the occasion of your being killed or maimed, or even losing your temporal goods, honour, &c.

† "Licet occidere eum de quo certo constat quod de facto paret insidias ad mortem, ut si UXOR, e. g. SCIAT NOCTU OCCIDENDAM A MARITO, SI NON POSSIT EFFUGERE, LICET EUM PRÆVENIRE."—*Ibid. iv. 387.* It is lawful to kill him from whom it certainly appears that snares are prepared to kill you; as if a wife, for example, knows that in the night she is to be killed by her husband, if she cannot escape she may anticipate him.

by shooting seemed to him as natural and as well-established a thing as death by starvation ; and “square” Father Kilmany was no more disposed to interfere with the established order of things than if he had been a lord chancellor.

To be a member of a cabinet, or of any corporate body, is a sad snare for individual conscience. To be a corporate body one’s self—a bishop, for instance—often proves still more so. But what must the case be where the great polity, in which priest and people are alike incorporated, avowedly takes the charge and responsibility of all consciences, and, by a sort of moral communism, makes the very lowest level the universal standard ? There are moments when even a Father Kilmany has a misgiving about his “charter,” indulges in a sort of aristocratic scruple, and is tempted to have something of a conscience *not* in common. Lord Skelter’s “gentleman,” whom he had so summarily sentenced, turned out *not* to be the gentleman supposed, but another, whom poor Lord Skelter had sent to make amends for his predecessor’s recklessness and cruelty. But Father Kilmany’s denunciation in public and his “direction” in private had worked all the same, and the bullet intended for one took effect on the other. It was only too natural, in weakness of faith and self-sufficiency, to indulge a scruple ; and the indulgence might, perhaps, have run into remorse, but for the lucid and pious arguments of a wise director,—no less a personage than Dr. Kilmore himself, the bishop of the diocese.

“ No evil had been intended to the murdered man ! ” began his lordship ; “ and, therefore, the very first condition necessary to constitute a sin was wanting. No act can be a serious sin unless the will consent to it with deliberation, and with full, actual, not semiplenal, virtual, advertency.* The

* “ *Nullus actus qui neque est in, neque a voluntate, est peccatum, nisi voluntas eum acceptet, sive is sit internus, ut, etc. Sive externus ac violentus.* ”

“ *A peccato excusantur vehementissimi motus iræ, aut concupiscentiæ, quibus usus rationis perturbatur, et libertas tollitur.* ”—*LIGUORI*, ii. 2. No act which neither is in, nor from the will, is a sin, unless the will shall accept it, or it is internal, &c. Whether external and violent. Very violent movements of anger or concupiscence, by which the use of reason is disturbed, and liberty is destroyed, are excused from sin.

“ *Notandum quod intellectus dupli modo advertere potest vel plene, vel semiplenamente. Motus primo primi, qui anteverunt omnem advertentiam rationis sunt omnino culpæ expertes. Motus secundo primi, qui fiunt cum semiplenâ advertentia culpam venialem non excedunt.* ”—*Ibid.* ii. 3. It is to be observed, that the reason can give consent in two ways, either fully, or half-fully. The first motions in the first way, which precede all consent of the reason, are entirely without blame. The first motions in the second, which are made with half-attention, do not exceed venial faults.

“ *Si advertatur tantum in actum materialiter sive physice consideratum, et non formaliter seu moraliter, erit tantum volitus actus iste ut est quid physicum*

man's death was as much an accident as if he had been mistaken for a deer. And supposing the murdered man had been the man denounced, clearly you are not culpably the author of his death. Defamation or detraction is not unlawful, if uttered with good intent; he only is a defamer, as St. Thomas says, who speaks evil of his neighbour with the purpose and object of blackening his character, not the man who has no such purpose, but quite another,—namely, some public good, to which his intention is directed, as in your case.* And if it be thus lawful to detract, which is to defame or to speak evil of one in private, it is clearly no less lawful to denounce, which is only to detract in public; since a man cannot have a twofold or manifold right to his reputation: that right is only one—the same before one as before many, before many as one.”†

But what his “lordship” most enlarged upon was the great danger of being given to scruples. “Not only peace of mind, devotion, progress in every virtue, is at an end, but how often does mind as well as body fall a victim! and, worse than all, how many a soul makes shipwreck, driven by despair to suicide or sin unbridled! And is not the first symptom of this vice a pertinacity of judgment, which declines obedience to the counsels of the wise?‡ What says the great St. Philip Neri, founder of

et non ut est quid morale; ergo, non ut malum; et in hoc non erit malitia.”—
LIGUORI, ii. 4. If the reason adverts to the act only materially or physically considered, and not formally or morally, the willing act will be only that which is physical, and not that which is moral, therefore not as wrong; and in this there will be no evil.

* “*Maxima hic advertenda doctrina S. Thom. ubi docet, illum proprie detrahere qui male loquitur de altero intendens ejus famam denigrare, secus, autem si hoc non intendat sed aliquid aliud. Si verba per quæ fama alterius diminuitur, proferat aliquis propter aliquod bonum necessarium, debitiss circumstantiis observatis, non est peccatum, neque potest dici detractio. Hinc dicendum, quod unusquisque ad evitandum grave damnum sui vel aliorum etiam in bonis fortunæ, licite potest detegere grave crimen alterius, modo non intendat illum infamare, sed damnum proprium vel alienum vitare: sufficit autem, ut damnum vitandum sit grave, quamvis majus damnum immineat diffamato.*”—
Ibid. iv. 968. Here the doctrine of St. Thomas is particularly to be observed, where he teaches that he properly detracts who speaks evil of another, intending to blacken his character; but otherwise if he does not mean this, but something else. To injure another's reputation for any needful good, if due attention to circumstantial be observed, is not sin, nor can it be called detraction. Hence it is to be said that every one, to avoid a great danger to himself or others, even in the goods of fortune, may lawfully expose the great crime of another, provided he does not mean to defame him, but to avoid his own or another's loss: only it is sufficient that the loss to be avoided is serious, however greater loss may accrue to him who is defamed.

† “*Detrahere coram pluribus est tantum circumstantia aggravans, cum jus ad famam sit unicum apud omnes, non autem multiplex.*”—
Ibid. ii. 49. To detract before many is only an aggravating circumstance, since right to reputation is equally to all, but not multiplied.

‡ “*Confessarius enixe inculcat magno suæ salutis discrimine se committere, qui præceptis sui confessarii renuit obedientiam præstare; tunc enim periculum*

the Oratorians?—‘LET HIM THAT DESIRES TO GROW IN GODLINESS GIVE HIMSELF UP TO A LEARNED CONFESSOR, AND BE OBEDIENT TO HIM AS TO GOD. HE THAT THUS ACTS IS SAFE FROM HAVING ANY ACCOUNT TO RENDER OF ALL HIS ACTIONS. THE LORD WILL SEE TO IT THAT HIS CONFESSOR LEADS HIM NOT ASTRAY.’* GO, MY SON, TRUST IN ME AND BE HAPPY. VADE, ET IN FIDE MEA MACTUS SIT.’

The father knelt down and kissed the hand of his learned bishop, and then turned his face homewards, quite satisfied of the reality of the dangers which he had escaped from, and fully resolved to listen to no more scruples in future.

Sir Thomas Thornton was a Roman Catholic Sir Stephen Penrhyn, whose character is given in Mrs. Norton’s novel, “Stuart of Dunleath;” his maiden sister was a Roman Catholic Lady Macfarren, and the story of Lady Thornton was the sad story of sweet Eleanor Raymond; only Lady Thornton was not of the religion of her husband. She was a Protestant. Miss Thornton had the very Rev. Dr. Brady for her “Tib,” and Sir Thomas had *not* “an instinctive involuntary conviction of his wife’s purity.” Sir Thomas had no instinctive conviction of anybody’s virtue of any sort. How could he? He had been born in Spain. He had been educated in Italy. He had been watched through a little tinned hole in the school-room door; he and his tutor. He had been watched in his bed. He had been watched in his path. He had had his spies relieved as regularly as sentinels upon an outpost. He had been taught to conceal the truth from everybody, to lie

se exponit amittendi non tantum cordis pacem, devotionem, et in virtute progressum, verum etiam mentem, item corporis valetudinem: imo quod deterius est etiam animæ jacturam faciendi; nam eo possent scrupuli devenire ut ad tantam eum redigerent desperationem, qua vel sibimet mortem inferret, ut pluribus contigit, vel ut sic de sua salute desperans habenas ad omnia vitia amplectenda laxaret.”—*LIGUORI*, i. 13. Let the confessor strenuously inculcate that he should commit himself with great discernment of his salvation who refuses to yield obedience to the precepts of his confessor; for then he exposes himself to the danger, not only of losing the peace of his heart, devotion and progress in virtue, but even his mind, and the health of his body also; and, what is worse than all, even of making shipwreck of his soul! for scruples may come to him that would reduce him to such despair that he might commit suicide, as has happened to many, or so despairing of his salvation he may loosen the reins to the embracing of all vices.

“Signa conscientiae scrupulosæ hæc sunt: 1. Pertinacia judicii, qua scrupulosus sapientum consiliis parere renuit.”—*Ibid.* i. 11.

* “Qui proficere in via Dei cupiunt, submittant se confessario docto, cui OBEDIENT UT DEO. Qui ita operatur, FIT SECURUS A REDDENDA RATIONE CUNCTARUM ACTIONUM SUARUM. DOMINUS CONFESSARIUM ERRARE NON PERMITTET.”—*Ibid.* i. 11. They who desire to be perfect in the way of God, must submit themselves to a learned confessor, whom they obey as God. He who so acts is safe from rendering a reason for all his actions. The Lord does not permit a confessor to err.

to anybody,* and then confess all on a Saturday, and have the guilt or non-guilt of what he did settled and rated at so many *aves* or *paternosters*, according to its supposed whereabouts in that great broad space upon the papal chart of morals which separates black from white, and makes vice and virtue mingle imperceptibly together. But there was nobody to mount guard over him now: nobody to drive him to confession now. And his deathbed was to be his "Saturday," and his penance was to be done when he was in the grave, by charities munificent and masses *in perpetuum*. In the meantime, as the living historian of the Jesuits, M. Cretineau-Joly, says of Louis XIV., he was "majestueux dans ses foiblesses," and kept two hetæræ: one a Bridget Owen, in a pretty lodge at Cranstey Park; the other married to his groom, and always near him. So Sir Thomas had no instinctive confidence in anybody's trustworthiness, and it was his turn now to mount guard over other people; and he was jealous of his pure wife, she was so frank and so exceeding beautiful; and he entered into his maiden sister's plot; and the very reverend priest entered into it most "Tibbishly;" and Liguori furnished the authority of holy Mother Church for all the arts which were to make certain what they suspected, and which they desired to make certain because they suspected. And the example of Judith was held up to the plotters in the sainted authority, and they were told that what a woman did with herself a husband might do with his wife.† So —to use Liguori's very words—OCCASIONS WERE LAWFULLY

* The Abbate Bricconi was tutor to the son of an English Roman Catholic gentleman of the old school. One day, in Rome, explaining the liberty of "simulation," he said, "Suppose I am going to Naples, but do not wish it to be known where I am going, and my interrogator has no right to question me; I answer, I am going to Genoa." "Ma, Signor Abbate," said the noble English boy, but half a Papist, "mi pare, questo sarebbe una bugia!" He was called an *impertinente*, and given a "good penance."

† "Consentit Divus Thomas, quandoque vir uxorem suspectam de adulterio habens, ei insidiatur, ut deprehendere possit eam cum testibus in crimine fornicationis."—LIGUORI, iii. 58. The divine Thomas agrees, when a husband has a wife suspected of adultery, he should contrive that he may catch her, with witnesses, in the crime of fornication.

"Probabile est non licere talia ultro ponere: Sa et Sanchez, qui docet non licere marito dare uxori ansam adulterandi, vel adultero, ut tentet uxorem. Interim probabiliter CONTRARIUM docet Layman. Quod confirmari potest exemplo Judith, quæ vix aliter videtur fecisse, cum enim sciret permissionem libidinis in Holoferne fore impeditivum malorum, posuit ei occasionem, nempe ornatum suum, alioqui ticitum, et tamen communiter censemur in hoc non peccasse. Et hoc probabile putant etiam Viva cum P. Navarro. Item, Elbel et Sporer cum Diana et Tamburini. Contradicunt tamen Sanchez cum Sa, vocans hanc probabiliorum quia (ut dicunt) hæc videtur positiva inductio, sive ad peccatum cooperatio, quæ est intrinsice mala. SED, HOC NON OBSTANTE, SATIS PROBABILIS VIDETUR PRIMA SENTENTIA, quia cum maritus præbet ansam mochandi, non vere inducit ad peccandum, sed præbet occasionem, et permittit peccatum alterius ex justa causa."—Ibid. iii. 58. It is, probably, not lawful to push such things

BROUGHT ABOUT THAT MIGHT TEMPT HER TO SIN ; and the beautiful young wife was arrayed, or disarrayed, under pretext of her voluptuous husband's pleasure, not like a Judith only, but a Delilah ; and for this, too, the holy pander gave holy sanction : “ for by no natural law, divine or human, is it forbidden a lovely woman to unveil her loveliness, or make her beauty show more beautiful ! ”* And yet this loose priest, worthy of the days of Medici, Farnesi, Monte Popes, when the great body of the herd of Roman clergy, as it were conventionally,

“ Segui Vener, le piume, et l' ocio, e l' vino,
Virtu fuggendo et quanto al senso spacie,

had just frightened two convent-cowed, co-heiress, orphan sisters into a cloister, as the only safe harbour of refuge in this world of sin !

Our next scene lies in Scotland. George Aikin was valet, companion, friend, to the eldest son of Vicary of Slopetown. He was far cleverer than his master, and if not better read, at least he better remembered whatever he had read. Neither of them went to confession when they could escape it, though both were sincerely, superstitiously, devoted to their religion. George, however, who had not had the advantages of a Roman Catholic College, and Dr. Crafty or Father Sly's weekly or monthly brief lectures in the confessional, could not resist an occasional presumptuous indulgence in a little practical theology, and when William Vicary told him his plan of getting in by the window to his sister's Swiss maid's bed-room—which was in a wing of the house where no other person slept—how he meant, after dark, when all had gone to dress for dinner, to fasten a rope-ladder out of her window, and that he, George, was to

farther : SA and SANCHEZ, who teach it is not lawful for a husband to give his wife a handle for adultery, or to an adulterer that he may tempt his wife. In the meantime Layman teaches the contrary, with probability. Which may be confirmed by the example of Judith, who scarcely seems to have done otherwise, when she knew that the yielding to lust would be an impediment to evil in Holofernes, placed before him an occasion, namely, her ornaments, otherwise lawful, and yet she is commonly judged not to have sinned. And this Viva and Navarro think probable Sanchez and SA, however, think the contrary more probable ; because, as they say, this seems a positive induction, whether there is co-operation to sin, which is intrinsically evil. But, notwithstanding this, the first opinion seems sufficiently probable, because when a husband affords a handle for adultery, he does not truly induce to sin, but affords the occasion, and permits the sin of another for a just cause.

* “ *Neque etiam fæminæ mortaliter peccant* [a sin not mortal is a sin that need not be confessed, and it needs no absolution], *ostentantes pectora nuda quo pulchriores videantur, absque alia mala intentione mortali; quia nullo jure naturali, divino aut humano, saltem ad mortale obligante, vetatur.* *Idem dicit* Cajetanus. *Idem docet Lessius, dicens, Potest esse peccatum mortiferum, si pudenda non satis tegerentur; SECUS in nudando pectore, ut Cajetanus, Fumus, Navarrus, nam partem illam nec natura aut pudor postulat absolute tegi.*”—

hold it that night, while his master climbed into the room ; George listened thoughtfully, and invented some good reason for putting off the project, for a day at least ; and no sooner was he clear of young Vicary, than he slunk thief-like to the door of the chaplain, who was living in the house. When his little single tap was answered, and he entered the priest's room, he remained where he stood, as he closed the door behind him, and whispered "Confession, sir." A silent, melancholy-looking, stately man was the venerable Abbé Maxwell, and no very easy matter was it for George Aikin to screw his courage up to the point which his half-mock confession aimed at. Once opened to the good Abbé, the matter was soon disposed of. He was one of a race of Roman priests henceforth impossible ; like an old edition of the Vulgate, he was a thing prohibited for ever. He had been educated when the Jesuits were supposed extinct, before "blessed" Liguori had been discovered ; when Ganganelli was still counted as much a pope as Paul III., and when even Rome had serious thoughts of patronising truth, piety, and justice. He told George Aikin, in answer to something that his master had let fall, how Innocent XI. had condemned a proposition which maintained it lawful for servants to co-operate in their master's villainy of the sort in question, and threatened him, not with penances, but with hell, if he consented to do so for young Vicary. The next day, with the frankness of long familiarity, George Aikin told his master "he would not go with him, nor hold the ladder. He had thought it over, and he would not do it ; d—n him if he would. Ma'mselle Nannette was not a common girl—her father was a Geneva minister : the whole thing was wrong." William Vicary's rage was far greater than he expected. It did not break out violently at first, but began with, "Since when had he turned Molly ?" and "may-be he was taking to sanctity :" but it ended with bitter names and more bitter curses. George kept his secret and the Abbé's, while William raved and argued, and raved and coaxed ; but George was shaken, and again he begged to put it off a day or two. There was no help for it, so William Vicary agreed. It was the first serious quarrel there had ever been between the two, and it weighed heavily on George Aikin. It was likely to put an end to the pleasant old relation between them, and

LIGUORI, iii. 55. Nor do women sin mortally who show their naked breasts in order to appear more beautiful, and without other mortal bad intention ; because by no natural law, divine or human, it is forbid, at least that is obligatory. Some say that there are parts of the body which, if not sufficiently covered, it is a mortal sin ; but it is otherwise in making bare the breasts, for that part neither nature nor modesty absolutely requires to be covered.

Silly little Venus de' Medici !

might—indeed no doubt in the end it would—lose him his good place into the bargain. So he had resolved within himself to go down that very day to Colton village, to see the tall, fat priest, of some new order, that had lately come to “govern” in that neighbourhood. Once more there was the quiet knock at the priest’s door, and the “Confession, sir;” and George opened the ease to that tall, stout man, with sensual mouth and chin, and peering, twinkling little eyes, and told him honestly that he had already consulted the Abbé, and what the Abbé had answered about Pope Innocent.

“Stuff and nonsense!” said the modest, beforked, and badged young father,—“Stuff and nonsense! you are not to lose your place to please an old rigorist, if not a Gallican;” and he lays his hand upon the ever-ready and most *unrigorous* Liguori. “Here it is ; and the proposition of Innocent XI. has no more to do with it than blackcock has with curry. The servant that the Pope condemns is one that assists his master in intention as well as in act, and in entering by force, and not by stratagem:”* and he reads him all the whole passage, and tells him what a great saint was Liguori, and that, next to the Virgin and St. Joseph, he must take him for his patron, and that he never can go wrong in following a wise director. So George Aikin’s scruples are at an end, and the quarrel with his master is made up, and the night after poor Nannette is ruined for ever.

* “*Quaritur, Utrum liceat famulo meretrici aperire?* Negat Croix, at communius affirmant cum Salmanticensibus, Layman, Tamburini, cum Sanchez, Diana, &c. &c. &c. *Nec officit propositio* Innocent XI. *dicens, Famulus qui, submissis humeris, scienter adjutat herum suum ascendere per fenestras ad stuprandam virginem, et multoties eidem subservit, deferendo scalam, aperiendo januam, aut quid simile co-operando, non peccat mortaliter, si id faciat metu notabilis detrimenti, puta, ne a domino male tractetur, ne torvis oculis aspiciat, ne domo expellatur; nam, aperiendo januam ex ipso contextu intelligitur de aperitione per vim confecta, ut recte dicunt Roncaglia, &c., modo (aiunt) ipso non aperiente, adsit alius qui aperiat.*”—**LIGUORI**, iii. 66. It is asked, Whether it is lawful for a servant to open the door to a strumpet? Croix denies, but many others affirm. Nor is the proposition of Innocent XI. against this, saying, *The servant who knowingly lets his master get up upon his shoulders in order to violate a virgin, and does so often, holding a ladder, opening a door, or assisting him in any similar way, does not mortally sin, if he does it through fear of notable loss, such as being ill-used by his master, or looked at harshly, or turned out of the house; for by opening the door is to be understood by the context an opening effected by violence, as Roncaglia and others rightly say, only he not opening, there may be found another who would.*

“*Quaritur, An ex metu mortis vel magni danni liceat famulo subicere humeros, vel deferre scalam domino ascendi ad fornicandum, vi aperire januam et similia?* Negant Viva et Melante et alii. Sed contradicunt BUSEMBAUM, Sanchez, et Lessius, QUORUM SENTENTIA, spectata ratione MIHI, PROBABILIOR VIDETUR. Ratio, quia, ut mox supra diximus, cum tu pristas actionem per se indifferentem, scilicet, qua potest esse bona et mala, non teneris, nisi ex chari-

CHAPTER V.

TEMPORAL AND SPIRITUAL POWER.

FEAR has certainly its share in peopling not only the heavens but the earth with gods ; and modern travellers give us a singular proof of it in their revelations of religion in India. There, death is not necessary to place the canonised upon the altar. In Malabar and Balagad, and various other neighbouring countries, terrible in intelligence, and terrible in courage and in mischief, is the monkey “ hoonyman.” Let but the indignation of the tribe be raised against a city or a house, and the deluging rains of summer are not more certain than its utter ruin. Just at the moment when the flood-gates of the sky are opening, the tiles upon the roof, that should protect, are scattered by armies of these saints, or devils, like feathers to the wind. So Brahmin kings and cabinets have made their treaty with the monkeys, and friar or priest is not more multiplied in Rome than are hoonymans along the sacred coasts of Malabar. Splendid and costly are the temples built in their honour ; gorgeous their worship ; vast the hospitals for their aged, infirm, and wounded ; and innumerable and inestimable their legacies. The highest honour that can befall a “ faithful ” is a visit of simple plunder to his gardens from one of the grave, sacred tribe ; and while, throughout the monkeydom, a man or woman

tate, ab illa abstinere, ne alter abutatur ad peccandum. Quando autem alias grave damnum metuis, licite permittere potes peccatum alterius ; nam ex una parte charitas te non obligat, ut cum gravi damno peccatum ejus avertas ; et ex altera, malitia alterius nequit mutare naturam tuæ actionis, ita ut, de indifferenti, evadat intrinsece mala. Nec potest dici quod præfatae actiones sunt per se male, quia co-operantur ad peccatum stupri ; idque probari ex ipsa Propositione damnata, ubi dicitur aut quid simile co-operando. Nam respondetur quod eo co-operando non intelligitur de co-operatione formalis, sed de materiali.’—*LIG. iii. 66.* Again, Whether from fear of death or of great loss it is lawful for a servant to help on his shoulders, or by a ladder, his master getting up in order to commit sin, to open the door by force, and other similar things ? Viva, Melante, and others deny. But Busenbaum and others contradict them, and his opinion appears to me more probable, looking at the reason of it. Because, as we have just said, when you do an act in itself indifferent, namely, which may be bad or good, you are not obliged, except from charity, to abstain from it, lest another should abuse it to sin. But when you otherwise fear a great loss, you can lawfully permit the sin of another : for, on the one side, charity does not bind you that you should avert his sin with great loss to yourself ; and on the other, the wickedness of another does not change the nature of your action, so that for an indifferent thing he should escape an intrinsic evil. Nor can it be said that the previous acts are evil in themselves, because they co-operate in the sin of whoredom ; and this is to be proved out of the very proposition condemned, where it is said, *or in any like thing co-operating.* For it is to be replied, that this *co-operation* is not to be understood of formal, but of material co-operation.

may be murdered for a trifling fine, to offend a hoonyman is death and damnation.

Strange power of mischief, still stranger honour of mischief, amongst these Indians ! is what we naturally exclaim ; and yet, read priests instead of monkeys, and *de nobis fabula narratur !* Look at Italy, and Spain, and Portugal ! Look at Austria and Bavaria ! Look at Ireland, and, *proh pudor !* look at England, too ! Save us ! save us ! is the cry of the alarmed, the enfeoffed, the educated *par excellence* of Europe.

“ Male and female created He them,” the Archduke Maximilian, of Austria-Este, once said to the present writer, “ and of male and female, of master and slave, must society be constituted in order to exist. What made Venice ” [and he might have added, What makes the Popedom], “ last, but castes ?”

The Archduke Maximilian was a thoroughly honest, strong-headed, frank-speaking prince. He confessed that slavery was, in his mind, the redeeming feature in the institutions of America. This gave him hopes of that young country, and Europe might take a lesson from it. To bring back precisely mediæval serfdom and Venetian patricianship he must have felt impossible ; his trust was in a caste separated from the human family, a *hoonyman*, mischief-mighty, cunning, courageous, united priesthood. Despotism threatened, called to render an account, must combine with those who never can be made responsible. Not that he said this, or even knew he felt it ; but he did feel it in his heart’s core. It was with a horror inconceivable that he anticipated the fresh outbreak of insubordination on the part of those whom God had created to be governed, and, as early as 1837, he showed in whose name he believed the help of Austria stood. In that year, with the consent of far-seeing Metternich, he gave his noble castle of Linz to “ the Military Company ” of the Jesuits ; and on the festival of their great saint, the last day of July in that year, the Jesuits took possession of it. Then the wedge was entered that has since cracked the Imperial power in Austria, and the old cassocked valets of the court joined the new-comers, who took in hand to keep down Europe for a consideration. So Louis Napoleon bartered France to Pius for a *dum-bene-se-gesserit* leave to king it. So was Queen Victoria defrauded of her supremacy in Ireland, and her only Duke toppled down from his high precedence to make room for a cream-faced hoonyman who believes the Pope to be infallible, and teaches that the earth stands still, but is mighty for mischief.

And, so, it is thought to barter England, out of Hindoo fear. Her leaders, like the Austrian Archduke, look to their great inheritance, and tremble for the roofs in Downing Street. Well

they may! for the enemy is upon them, and in well-ordered array. Be strong, O ye hoonymans! quit yourselves like men! and England, like Ireland, like Austria, like Spain, like Italy, may be again enslaved, and governed by the rod of *Index Expurgatorius*! Happy he whom ye shall elect to sit upon the Treasury-bench, or fill the highest post of honour in the gracious presence of the Queen!

In the meantime, money!—money must be squeezed out of the faithful! Let “The Times” bark,—

“ Havrem tesoro; e chi baiar vuol, bai.”

Small, comparatively, are the gains wrung from the living rich; and the all, even, of the generous poor is still inadequate. Yet, “the silver is mine, and the gold is mine;” and “the glory of this latter house is to be greater than the glory of the former!” It is the dying, the dying and the dead, that, in this land of the infidel, the Church must build her hopes upon! It is the legacies for “pious uses” that must raise mediæval palaces for the bodies of the living, and mediæval churches for the bodies of the dead adored; mediæval convents for charmed women, sweetly vested (and divested too), that they may charm others by holiness æsthetical.* It is the legacies that must make Canterbury

* “Ad pias causas legata dicuntur, quæ intuitu pietatis reicta sunt, nimirum, 1. Loco, vel personæ sacrae. 2. Hospitali. 3. Confraternitatibus. 4. Pupillis et orphanis. 5. Quod causa alimentorum iis qui indigent [the higher clergy are *ex officio* indigent].

“ Ho sempre inteso e sempre chiaro fummi
Ch’ argento che lor basti, non han mai
Vescovi, Cardinali, e Pastor summi.”]

6. Quod causa studii, saltem theologici. 7. Ad constructionem monumenti. 8. Ad utilitatem publicam.”—*LIGUORI*, iv. 937. Legacies are said to be for pious causes which are left out of piety. 1. To a sacred place or person. 2. To an hospital. 3. To monasteries. 4. To children and orphans. 5. To feed the indigent. 6. For learning, at least theological. 7. To build monuments. 8. For public utility.

“Quæris, *An testamentum sit validum cui desunt solemnitates a jure civili requisitæ?*”—You ask, Whether a will is valid which wants the forms required by the civil law?

“Respondeo, *Si testamentum factum sit ad CAUSAS PIAS, etiam in foro externo eas non requiri: in foro autem conscientiæ, supposita potestate disponentis, sufficere scripturam, NUTUM, VEL ALIUD SIGNUM TESTATORIS ABSQUE ULLO TESTE... Licit morte intervenient non fuerit absolutum, valet (testamentum) quod legata pia in eo jam expressa.*”—I reply, If the will is made to pious uses, even in the public court they are not required; and as to the court of conscience, the power of the disposer being granted, any writing, nod, or other sign of the testator, without any witness, is sufficient . . . Although, death intervening, that will should not have been perfected, it is valid for the pious uses expressed in it.

“*An autem tale testamentum, ad causas pias principaliter factum, si solemnitates desint, valeat quod legata profana, controvertitur. Sequentia Bonacinae (negans) est satis probabilis: quia respectu laicorum Papa nihil disponit. Nec semper valet regula, quod accessoriū sequitur naturam principalis, nam ipsa non currit, ubi diversa est ratio accessoriī a principali, ut hic accidit; et ideo,*

and Norfolk fall like Leinster; and England, like Ireland, “adore,” when a scarlet hoonyman vouchsafes to manifest his glory most eminent *nil eminentius* to the world.*

Ah! if it were only *forum conscientiae*, the “tribunal” of the confessional and canon law that ruled in England! Or were the gods of the “faithful” worshipped in the “Arches!” But the courts of the heretic! — the courts of the accursed! — courts, that to acknowledge is to be ANATHEMA! We fly to thee, Liguori! Life, hope, joy of bishops’ hoonyman! *Fer opem, maxime vatum!* *Egregie Doctor, instrue mores!* “The villany thou teachest, we will execute; and it shall go hard but we will better the instruction.”†

CHAPTER VI.

TRUTHFULNESS TAUGHT TO THE LAITY.

THE boundary-line between equivocation under oath and perjury, like that between spiritual and temporal external jurisdiction, may perhaps be imaginable, but certainly it is not discoverable. He that claims and exercises a right to govern the soul, can hardly wish to be thought sincere when he re-

non obstante quod testamentum principaliter sit profanum, debetur legatum in eum relictum, etiam deficientibus solemnitatibus juris civilis.”—But it is disputed if such a will, principally made for pious uses, is valid for profane legacies where the forms are wanting. The opinion of Bonacina denying, is sufficiently probable; because the Pope disposes of nothing with respect to laymen. Nor is the rule always valid that the accessory follows the nature of the principal, for it does not run where the reason of the accessory is diverse from that of the principal, as here happens; and so, notwithstanding the will is principally profane, the legacy left in it is to be paid, although the forms of the civil law are wanting.

“*Denique, testamentum ad causas pias, non solemne, revocat aliud solemne, etsi hujus mentionem non faciat: idque etiamsi prius etiam fuerit ad causas pias.*”—*Ibid.* iv. 922. Lastly, a will for pious uses, although informal, repeals another formal will, although it does not mention it; and this even if the first also was for pious uses.

* “Adoration,” in strictness, is properly paid only to a Pope, and he only while living (in the religion of Rome) is placed upon the altar. To any other living man “adoration” can probably only be offered as *pars ipsius corporis*, “a piece of Pope.” Even of this, it is doubtful if an instance on the Continent can be cited. In England, however, it is certain that the usage now prevails (owing, perhaps, to our intimate relationship with India); and adoration is habitually paid by a large circle of the feminine “faithful,” whenever a well-known, modest “piece of Pope” enters upon the scene.

† The word “villany” is used in a Pickwickian sense only in the quotation, as indeed it is, by Shylock himself, in the original.

pudicates all empire over the body ; and he who holds it a duty, or even lawful, to equivocate and to dissemble under oath (except in danger of discovery), can hardly claim belief for anything on the ground that he has sworn to it.

The beautiful, but over-ambitious Convent of St. Winifred, is scarce more than half finished. Of one wing, the walls are not yet built. The chapel-tower is spireless ; the chancel-window is the only one filled in with stained glass ; the ambulatory is laid with bricks instead of tiles ; the furniture even of the parlours and the refectory is modern, and 3000*l.* of borrowed money still remain unpaid. The placid-looking mother-superior sits pensive at the little *portiera* window, with the graceful Moorish beads in hand, but not at prayer. She has sent the sister-portress to do penance, for the outer door was fastened with one bolt only, and she will herself let in the visitor she waits for. It is "my lord" that pants up the avenue, and now graciously extends his hand for her fair lips to kiss, as she kneels behind the door, which seemed to open and shut gently of itself.

"What is it?" "my lord" asks, when they are closeted together in the second parlour ; "what is it that 'my dear daughter' has required me for?"

"The Abbé Flotteville was here again to-day, but I did not see him."

"You have not offended him, my daughter ? He is so fond of you!"

"Oh, no, my lord ! I sent him word that I was very ill. He will be here to-morrow. But he grows very feeble, and he will leave us nothing, if he knows that the 3000*l.* are not paid ; and then all his cousin's fortune will go to those nasty, worldly girls, his nieces. What shall I do, my lord ?"

"Tell him it is paid."

"Is it, my lord ?"

"No, my daughter, not paid, as you mean it, to Miss Fitzfarthing, but to the workmen. Abbé Flotteville has no right to ask, or know the truth ; you, therefore, have a right to hide it. And it is no lie to say that it is paid, in the sense I tell you of. It is a just equivocation ; or what is called in morals, *amphibology*."

"What is *amphibology*, my lord ?"

"*Amphibology* is using words with double meaning ; as in Latin, *volo* means 'I will ;' and also means, 'I fly ;' in English, *I say*, means 'I utter,' as well as 'I declare ;' and if you are questioned about any one, whom it is convenient to conceal, if she is in the convent, you may answer, *I say that she is not* ; mean-

ing you utter these words, *that she is not.** This is no lie, you mean just what you say ; and, as well as I can remember, I have given you St. Liguori's very words. So you need have no hesitation in dealing with the dear, good Abbé ; and you would do well, too, if he should seem to doubt you, to call God solemnly to witness that what you say is true. You might say, 'Dear Abbé Flotteville, how we must bless God that the 3000*l.* are paid !' for holy Liguori"—"his lordship" always closes his small pig eyes in reverence, when he names "the Saint"—"holy Liguori says, 'to swear with equivocation or amphibology, when there is a good reason, and equivocation without an oath is lawful, is not wrong, is no harm, for where there is a right to hide the truth, and it is done without a lie, no irreverence is done the oath.'"[†]

"Is there a good reason here, my lord?"

"Any reason is a good one, provided there be *a* reason ; as, for instance, to be delivered from importunity, or from an unauthorised interrogation."[‡]

* "Amphibologia triplici modo potest esse : I. quando verbum habet duplum sensum, prout volo significat velle et volare. II. Quando sermo duplum sensum habet principalem, e. g. Hic liber est Petri, significare potest quod Petrus sit libri dominus, aut sit libri auctor. III. Quando verba habent duplum sensum, unum literalem, alium spiritualem. Sic quis interrogatus de aliquo, quod expedit celare, potest respondere dico non, id est, dico verbum non. Cardenas de hoc dubitat [the Puritan !], sed salvo meliori consilio, videtur innernerit, cum verbum dico vere duplum sensum habeat ; significat enim proferre et asserere, in nostro autem sensu dico idem est ac profero."—LIGUORI, iv. 151. Amphibology may be threefold. 1. When a word has a double meaning, as, *volo* means *I fly*, as well as *I will*. 2. When the sentence has a double principal meaning ; as, *this book is Peter's*, may mean, *the book belongs to Peter*, or *Peter wrote it*. 3. When the words have a double sense, one literal, the other spiritual. Thus, if any one is asked by another about something which he wishes to conceal, he may answer, *I say, no* ; that is, *I say the word no*. Cardenas doubts of this ; but, saving his better judgment, it seems worthless, for the word *I say* truly has a double sense : for it signifies to assert as well as to utter, and in my meaning *I say* means *I utter*.

† "Jurare cum equivocatione, quando justa causa est, et ipsa equivocatione licet non est malum : quia ubi est jus occultandi veritatem, et occultatur sine mendacio, nulla irreverentia fit juramento. (Quod si SINE JUSTA CAUSA fiat non erit quidem PERJURIO, cum saltem secundum aliquem sensum verborum, vel restrictionem mentalem, verum juret.)"—Ibid. iv. 151. To swear with equivocation when there is a good reason, and the equivocation itself is lawful, is not wrong ; for where you have a right to hide the truth, and you do it without a lie, no irreverence is done to the oath. Indeed, if it be done without any good reason it is not perjury ; for, according to one meaning of the word, or limited mental reservation, you sweat to the truth.

‡ "Ad sic (cum amphibologia) jurandum (præterquam in judiciis et contractibus,) non requiritur causa absolute gravis, sed sufficit quævis rationabilis causa, puta, ad se liberandum ab importuna et injusta interrogatione alterius, ut dicunt Salmantenses cum Valdez, Sanchez, Bona, Pallatio, Roncaglia, Elbel, &c."—Ibid. iv. 151. To swear in this way with amphibology, except in legal evidence or a contract, no reason absolutely grave is necessary. Any reasonable reason is enough ; for instance, to get rid of a troublesome questioner who has no right to question you.

"How very kind of you, good lord bishop ! And is there no need to pay Miss Fitzfarthing?"

"None in the world, my daughter. I will try hereafter to have the interest paid her more regularly ; but she has at least 200*l.* a-year without it. What should she want with more ?"

"And shall we have the spire at once, if Abbé Flotteville die ? Dear old Abbé Flotteville, he is so fond of me ! And Pugin says the spire will be so very, very beautiful, it will beat St. Alkmund's. And shall we have *all* the darling chapel-windows stained ? And what would one of those grand Spanish copes cost, do you suppose, my lord ?"

"Abbé Flotteville is not dead, my daughter," says his smiling "lordship."

"But when I have masses said for my own private intention," runs on that dear, delightful, naughty little superior, "bishop, may I offer them to God that he would take the Abbé to himself ? May I, bishop ? He is so unhappy here, and I am sure he is quite ripe for heaven."

"Unite your intentions with all that is for the glory of God's holy Church, and wait with patience the doings of His holy will."

This was in 1848 ; and I think the dear, melancholy Abbé, must have died soon after, though his French nieces heard nothing of his death. There was no will, and *nulla bona* returned from England : so they only inherited the old château in which they lived in the Ardennes. But the chapel was finished in 1850, when I saw it, and was "so very, very beautiful," and the service exquisite, with little cardinals for acolytes ; and, besides a grand Spanish cope for "benediction," there was a delicious organ, and the ambulatory—"what a pretty word !" the nuns said, "that was"—was tiled so sweetly, and all the furniture throughout the house was mediæval ; and you would almost have thought the sisters themselves had been preserved hermetically from the blessed "days of faith" and farthingales, of Raphaelesque popes with handsome Gonfalonier sons ; of Medicæan daughters-in-law pontifical, lovely Magdalena Cibos, and of beautifully-coiffed dames, who could call an emperor and two popes "father."

"This is the excellent foppery of the Church ! to make us villains, by necessity ! fools, by heavenly compulsion ! liars, by an enforced obedience ! and all that we are evil in, by a divine thrusting on ! an admirable evasion !"

Young Tightman, the apothecary, a week ago, gave arsenic to Mary Saunders, the calenderer in Ashwood Lane ; and to-day, Mr. Moultry, who had long had a notorious *liaison* with her, and was supposed to have given her the money which bought the cottage that she lived in, is declared to have died by poison.

The *liaison* with beautiful Mary Saunders was not more notorious than the domestic unhappiness that had grown out of it ; and Mrs. Moultry was arrested, and all bail was refused. It would be long to tell them, but there were many little things that bore very hardly against poor Mrs. Moultry, and suspicion never once alighted upon Mary Saunders. Young Tightman, for just one kiss, had promised he would never tell that he had given her arsenic, and to-morrow he would be called up as a witness. What was he to do ? The round-faced whiskered man that he applies to is Father Flower, a Liguorian or Redemptorist.

“ Does any one know of the arsenic given to Mary Saunders ? ”

“ Nobody.”

“ Then when you are called up you may swear, with mental reservation.”*

* IT IS CERTAIN, AND COMMONLY HELD BY ALL DIVINES, THAT WITH A GOOD REASON, IT IS LAWFUL TO MAKE USE OF EQUIVOCATION IN THE WAYS EXPLAINED (see note *, p. 40), AND TO CONFIRM THE EQUIVOCATION WITH AN OATH. THE REASON IS, THAT WE ARE NOT DECEIVING OUR NEIGHBOURS, BUT, FOR SOME GOOD REASON, LETTING THEM DECEIVE THEMSELVES ; and on the other hand, we are not bound to speak to the minds or meanings of other people ! If there be a good reason, and any honest purpose, such as taking care of our money, or our bodily or ghostly serviceables. There is, indeed, a question, whether it be a grave sin thus to swear WITHOUT A GOOD REASON. Viva says it is, and so does Busembaum, as he asserts with Layman, Sanchez, and others, commonly. But he is wrong in citing Sanchez, and calling his opinion common. [*The wretched man !*] For SANCHEZ HOLDS THE CONTRARY, and so do Lugo, Cajetan, and the Salamanca doctors, with Soto, Valdez, &c. &c., and Busembaum himself thinks their opinion probable. And the reason of this MORE PROBABLE opinion is, that in an oath of this sort, TRUTH and JUSTICE are there. All that is wanting is *sense* or *discrimination* ; and to be wanting in that is nothing more than venial. As to what Viva says, that *any one who thus swears practically, calls God to witness what is false* ; for the truth is, that he calls God to witness what is *true*, in the way he means it.

“ CERTUM EST, et commune apud omnes, quod ex justa causa licitum sit uti equivocatione modis expositis (see note *, p. 40) et cum juramento firmare. Ita Lessius, Cardenas, Salmanticenses, ex S. Hieronymo, qui dicit, Utilem simulationem, et in tempore assumendam ; quod explicans S. Thomas ait, S. Hieronymus utitur large nomine simulationis pro quacunque fictione. Ratio, quia tunc, non decipimus proximum, sed ex justa causa PERMITTITUS UT IPSE DECIPIATUR [like the innocents of the H. of L. or Com. of the H. of C.] et, ex alia parte, non tenemur ad mentem aliorum loqui ! si justa causa subsit. Justa autem causa esse potest quicunque finis honestus ad servanda bona, spiritui vel corpori utilia. Utrum autem jurare cum amphibologia, sive restrictione non pure mentali, ut infra (see note, p. 43) SINE justa causa sit peccatum mortale ? Affirmat Viva. Idemque tenet Busembaum cum Layman, Sanchez, &c. communiter, ut asserit. Sed inmerito citat Sanchez, et vocat suam sententiam communem ; dum oppositum sequitur Sanchez, et eandem tenent Lugo, Cajetanus, Salmanticenses, cum Soto, Valdez, Prado, Hurtado, Candido, Leandro, item Lessius, et probabilem putat Busembaum. Ratio huius probabilioris sententiae est, quia in hujusmodi juramento jam adsunt VERITAS et JUSTITIA : deficit tantum JUDICIUM sive DISCRETIO, cuius deficiencia non est nisi venialis. [Lucky for the H. of L. and M. P.’s in Com.] Nec obstat quod ait Viva, scilicet, quod taliter jurans exercite invocat Deum ad testificandum falsum, nam re ipsa invocat ad testificandum verum juxta suum sensum.”—LIGUORI, iv. 151.

“ I thought, Father Flower, that you told Squire Carew, when he met you in my shop, that mental reservation was a mortal sin, and that he ought to know it was ; for Dr. Denton had sworn before the House of Lords that that was the universal doctrine of the Church, and that some pope had solemnly condemned the contrary opinion !”

“ Ha ! ha ! I had forgotten it ; but I said the truth, and Dr. Denton swore the truth. Innocent XI. condemned the doctrine of mental reservation, but the Church will tell you that such condemnations must not be construed strictly ; and what he condemned as sinful, is to be understood as reservation *purely* mental. He did not condemn reservation non-purely mental. It is impossible, moreover, that he should have done so ; ‘ for if reservation not purely mental were forbidden, there would be no way left of concealing a secret that it yet might be most inconvenient or dammatory to have known, and this would be as mischievous to human intercourse as lying.’ The condemnation of the pontiff, then, is rightly to be understood of reservation purely and strictly mental. And that only can be truly called mental reservation which is wholly in the mind, and so hidden that by no possible means it could ever be made out from circumstances. Non-purely mental reservation is quite another thing, for it may possibly be found out from circumstances. And when you swear in the case of Mary Saunders that you know nothing whatever about the arsenic, you mean that you know not anything which you are at liberty to tell,* or do not wish to keep secret.”

* “ *Restrictio autem mentalis alia est* pure mentalis *quæ nullo modo ab aliis percipi potest* ; *alia non est* pure mentalis, *quæ ex adjunctis circumstantiis innotescere potest.*” Of mental reservation, one sort is *purely* mental which cannot by any means be detected by others; the other *non-purely* mental, which can become known from some adjunct circumstances.

“ *Restrictio pure mentalis nunquam est licita, nec juramentum super eadem, ut patet tribus propositionibus damnatis ab Innoc. XI. in quibus, prima, n. 26, dicebat*, Si quis vel solus, vel coram aliis, sive interrogatus, sive propria sponte, sive recreationis causa, sive quoconque alio fine juret, se non fecisse aliquid, quod revera fecit ; intelligendo intra se aliquid aliud, quod non fecit, vel aliam viam ab ea, in qua fuit, vel quodvis aliud additum verum, revera non mentitur nec est perjurus. *Secunda, n. 27 dicebat*, Causa justa utendi his amphiboliis est quoties id necessarium, aut utile est ad salutem corporis, honorem, res familiares tuendas ; vel ad quemlibet virtutis actum ; ita ut veritatis occultatio censatur tunc expediens et studiosa. *Tertia, n. 29*, Qui, mediante commendatione vel munere, ad magistratum, vel officium publicum promotus est, poterit cum restrictione mentali præstare juramentum quod de mandato regis exigi solet, non habito respecto ad intentionem exigentis quia non tenetur fateri crimen occultum.” Restriction purely mental is never lawful, nor an oath upon it, as is clear from three propositions condemned by Innocent XI. The first of them, No. 26, said, *If any one alone, or in company, upon being asked a question, or spontaneously, out of recreation or any other motive, swear that he did not do something which he really did, meaning internally some other thing which he did not*

“ Moreover, you are never bound, even though legitimately and juridically interrogated under oath, to tell the truth, if you have become acquainted with it, as in this case, under natural secrecy; because a precept of natural law must take precedence of the precept of a court.”*

“ But what is to become of poor Mrs. Moultry, Father Flower ?”

“ They will not be very likely to hang her upon circumstantial evidence: but that is no affair of yours. Mrs. Moultry could have no claim on you, nor even upon Mary Saunders, for loss of character, or even loss of life, inasmuch as your evidence, or Mary Saunders’ silence, is not the positive or influential

do, or in some other way from what it was, or any other added truth, he neither lies nor is perjured. The second, No. 27, said, *There is a good reason for using amphibolies as often as they are needful or useful for health, honour, or family property, or any act of virtue, so as to make the concealment of the truth thought expedient and desirable.* The third, No. 28, says, *He who, by means of a recommendation or a bribe, is promoted to the magistracy or any public office, may take the oath usually exacted, without any regard to the intention of the exactation, for he is not bound to confess the hidden fault.*

“ *E contrario licitum est, justa causa uti restrictione non pure mentali, etiam cum juramento, si illa ex circumstantiis percipi potest.* *Hanc sententiam communiter tenent Gonet, Manriquez, Layman, Paludanus, Adrianus, Soto, Wigandt, Cardenas, La Croix, Holzman, Elbel, Sporer, Viva, et Salmanticenses, qui dicunt hanc sententiam esse communem fere omnium doctorum.* *Idem sentit continuator Tourny cum Vauroy et Boudart, dicens etiam strictiores theologos has restrictiones late mentales (quod idem est ac non pure mentales) negare esse illicitas.* [“ Here is a great coil,” O ! H. of L. and Com. of H. of C. “ Be vigilant, I beseech you!” in the name of Dogberry.] *Ratio autem hujus sententiae est, quia si non licet uti restrictione non pure mentali, non existeret modus secretum licite celandi si quis requiret aprire sine damno, vel incommodo: quod utique esset aequa perniciosum commercio humano, quam mendacium.* *Daminatio autem peracta a Pontifice restrictionis mentalis, recte intelligenda est de restrictione pure et stricte sumpta: illa enim tantum vera mentalis restrictio dici debet, quæ tantum in mente fit, et ita occulta remanet, et nullo modo ex circumstantiis externis agnoscari valet.* *Hinc dicunt Cardenas ac Felix Potesta quod quoties tenetur quis occultare infamiam alterius, licite dicat nescio, scilicet, Non habeo scientiam utilem ad respondendum, sive, Non scio tanquam manifestabile, ut Cardenas cum Lugo.”* — *LIQUORI, iv. 152.* **ON THE OTHER HAND, IT IS LAWFUL TO USE RESERVATION non-purely MENTAL, EVEN WITH AN OATH,** provided there is a possibility of detecting by circumstances. This is the common opinion of nearly all divines. And the reason of it is, that if it were not lawful to use reservation *non-purely* mental, there would be no way left of concealing a secret, though you could not reveal it without loss or inconvenience, and this would be as mischievous to human intercourse as lying. The Pontiff’s condemnation of mental reservation is rightly to be understood of reservation purely and strictly taken; and that only can be called true mental reservation which is made only in the mind, and remains so concealed, that by no means can it possibly be discovered from outward circumstances. And hence Cardenas and Felix Potesta say, that as often as any one is required to conceal another’s disgrace, he may lawfully say, *I know nothing about it; namely, I know nothing about it proper to be told or fit to answer.*

* *Etiam legitime et juridice interrogatus, non teneris testari, si accepisti sub secreto naturali.* *Etiam sub secreto tantum commisso, ut S. Thomas et communis cum Sylvio et Salmanticensibus, contra Sotum, quia præceptum naturale præferendum est præcepto judicis.”* — *Ibid. v. 268.*

cause of her wrong, but only the negative one. Do you understand me?"

"Why, I fear, not perfectly."

"Well, then, what I mean is this,—nothing that you say does any wrong to Mrs. Moultry; you do not bring forward, nor put in the way any hindrance of her right. The obstacle to her acquittal is already there, namely, the want of proof to show her innocence. Now you are under no obligation of justice to remove this obstacle.* You are under no obligation of obedience, because, as I have told you, you are to obey the natural law of secrecy, *not* to tell, rather than the orders of the court to tell the truth. You are under no obligation of religion, because where there is a right to conceal the truth, and it is hidden without a lie, there is no irreverence:† nor are you under any obligation of charity, because, in appreciation, Mary Saunders is nearer to you in the order of charity than Mrs. Moultry."‡

And yet the Abbé Flotteville was an unexceptionable priest, and Mrs. Moultry was a "Catholic!" They were members one of another in the same body with "his lordship" and the zealous "reverend mother," with Flower and Tightman. The court, too, was unimpugned, before which Tightman was to be forswn. These are the morals by which the "faithful" themselves are "*joined together and compacted.*" These are the morals of departed "saints," and of the most pious, the most

* "Dices; tenetur damnum restituere testis qui dicendo se nescire, quod vere scit, jam impedit, per tale mendacium proximum a consecutione sui juris. At respondetur, hoc procedere quando mendacium est causa positiva, sive influxiva damni, secus si tantum negativa. Testis autem qui dicit se nescire veritatem quam scit est causa tantum negativa damni, cum nullum apponit impedimentum positivum, ne alter suum jus consequatur, sed solum non removet impedimentum alteri obstans, scilicet defectum probationis: ad quod removendum poterit quidem testis ex obedientia et religione ut diximus, aut etiam aliquando ex charitate esse obstrictus, sed non ex justitia."—*LIGUORI*, v. 270. *You will say that a witness, who says he knows not what he really does know, is bound to make restitution for the injury, because by his lie [but in the case in question, Father Flower denied that there would be any lie] he prevents his neighbour from having his just right. But the answer is, this is so, only when the lie is the positive or influential cause of the wrong, but not when it is merely the negative cause. And the witness, who says he does not know when he does know, is only the negative cause. He puts no positive impediment in the way of the other's right. He only does NOT REMOVE an impediment already in the way, namely, the want of proof. To remove that impediment he MAY indeed be bound by religion or obedience, or even, sometimes, by charity, but not by justice.*

† See note †, p. 40.

‡ "Quoad proximos, inter se servandus est hic ordo (charitatis), appetiative, et dilectione ea qua alteri optamus bonum nondum possessum, cum beneficentia magis diligendi sunt ii qui nobis sunt conjunctiores quoad ea bona, quae sunt debita tali conjunctioni, et in quibus haec fundatur."—*Ibid.* iii. 27.

devoted living denizens of Popedom. These are the morals of whole Roman Catholic kingdoms, the morals of “the holy city” itself, and its scarce less holy neighbour, Naples. And if faith in Popery and sincere devotion to the Virgin Mary and the saints be holiness—if acts of generous self-devotedness, and charity, and blind hope, be holiness—I know no cities in the world that can rival Rome or Naples. It is false to say that infidelity prevails among the people, high or low. It is the opposite excess that is the general vice in all classes of the laity, and even of the clergy. Who that witnessed the blank, sombre misery of the Romans in 1848, when St. Andrew the Apostle’s head was stolen from the Vatican ; the crowded tapers glittering around the wafer on the altars ; the sobbing masses of equal men and women that knelt before them ; the knots of gloomy whisperers in the public squares ; the heaviness that reached the palace and the ball-room ; who that witnessed the spontaneous illumination which, two nights afterwards, announced electrically, from street to street, the recovery of the relic ; who that witnessed the hundred thousand, of all ranks, in their solemn joy following, bare-headed, the bare-headed Pontiff, as he tottered along beneath the precious weight, and, with tears rolling down his furrowed cheeks, bore it back to its three-days’-desolate thrown-open sanctuary ; who that witnessed the passionate gratitude and love with which that great multitude shouted *Te Deum*, and prostrated themselves upon St. Peter’s marble fields ; who that witnessed these things, can doubt the deep religiousness of that Roman people ? And who can visit *incognito* their hospitals, and not reverence and love the gentle piety, and patience, and self-forgetfulness, not indeed of the hireling nurses, nor of the old professional “religious” guardians, but of noble women of high rank, or quiet nuns of some one of the many Orders of Mercy, Providence, and Charity, who seem truly to have chosen their lot of poverty and labour as a bridegroom does his bride ? I do indeed acknowledge that a personal dislike of the reigning sovereign is, as it were, hereditary with the Romans ; and who can wonder ? when almost every palace, from the oldest down to Braschi’s, is a memento of the vice and rapacity of that accursed dynasty, in which the palm of infamy is in dispute between Virgin * Pontiffs, too base to have descendants,† and those who first debauched, and then

* The Fathers often call men *virgines*, and Ovid speaks of Medea as *virgo adultera*.

† Julius III., who, as first Legate, had opened the Council of Trent, and presided with such distinguished courtesy and craft. He made his monkey-keeper,

destroyed the children whom they had. But, the infidelity or irreligion of the people I deny. No! no!

“Populo vile, codardo, insanguinato,”

but *not* irreligious. Religion at Rome is a thing sincere and deep; and the religion of Rome everywhere is a REALITY; such as many an earnest Brahmin, or Dr. Cullen, or Lord Arundel and Surrey, may explain to us, but such as many a scadel prelate no more wots of than Sir James Graham or Mr Milner Gibson.

But the Cardinal Secretary of State to Pius IX. tells the Austrian Government, in an official despatch written in his master's name, “the population of Rome is in general radically corrupt, or inapt and incapable of giving a shadow of support to Government.” And so they are “radically,” one almost fears irredeemably, “corrupt;” and it is their faith and their religion that has made them so. And, how can a people *supernaturally governed* ever become other than “inapt and incapable” of assisting in their government? When was any Roman Catholic kingdom ever governed without the rack, the Inquisition, or a standing army? When did civil supremacy ever rule quietly beside the Church of Rome acknowledged, or any church acknowledged outwardly supreme? What is the history of the Continent, from Constantine till now, but a history of treachery, sedition, and revolt? And in England, it was an attempt to establish a Pontificate that brought about both the Rebellion and the Revolution. Make any priesthood master, make any mortal *supernatural*, and there is no need of hereditary training to make a man dangerous to all the natural relations of society, hostile to the rights of temporal government, and at loose from all the obligations of the moral sense.

delicias domini, the beautiful son of the beautiful Arezzo beggar-girl, a cardinal at the age of seventeen.

“Quand' io (S. Pietro) udi; se io mi trascoloro,
Non ti maravigliar: che, discend' io,
Vedrai trascolar tutti costoro.
Quegli ch' usurpa in terra il luogo mio
Il luogo mio, il luogo mio che vaca
Nella presenza del Figliuol di Dio,
Del sangue e della puzza onde il perverso
Che cadde di quassu, laggiu si placa.”

CHAPTER VII.

BLIND OBEDIENCE.

LACY DE LACY is a peer's son, his mother a peer's daughter. He is a Church-of-England clergyman; amiable, accomplished, learned, pious, and, if not philosophic, quick and penetrating. He is converted at forty, and believes infallibility as he believes the One, Holy, Catholic, and Apostolic Church; and accepts as heartily Ignatius Loyola's legitimate developement of it, blind obedience. Read what that developement is, in Loyola's own words,—“Obedience is to be rendered to a superior, not on account of his wisdom, goodness, or any other such-like quality with which he may be divinely gifted; but solely because he holds God's place, and wields the authority of Him who saith, *‘He that heareth you, heareth me; and he that despiseth you, despiseth me.’* Nor, on the other hand, is anything to be abated from this obedience, on the ground that the superior may be wanting in prudence or discretion; for he claims it *as superior*, and as representing Him whose wisdom can never be deceived, and who will Himself make up whatever is wanting in His minister of the grace of probity or any other. Even as Christ our Lord taught clearly, for when He had said, ‘The scribes and Pharisees sit in Moses' chair,’ He instantly added, ‘**ALL THINGS**, therefore, **WHATSOEVER** they shall bid you, that observe and do.’ And my vehement desire is, that this should be clearly certain to you, and deeply rooted in your inmost hearts, that it is the very lowest and a most imperfect sort of obedience which merely executes an order. That man's obedience is not worthy to be called by the name of virtue, **WHO DOES NOT MAKE THE WILL OF THE SUPERIOR HIS OWN**, and so agree with it, that what one wills both will, and what one does not will neither does the other. Down, then, with your whole **WILL** wholly. Freely give up and dedicate to your Creator, in the person of His minister, that freedom with which He has endowed you. But, if you would **IMMOLATE** your whole self wholly unto God, you must offer to Him not the bare will merely, but the **UNDERSTANDING** also; to think just what the superior thinks, and **TAKE HIS JUDGMENT FOR YOUR OWN**, so far as it is possible for a devoted will to bend the understanding. It is impossible to deny that **OBEDIENCE** includes not only the doing of what is commanded and the willing of what is done, but the submission of the judgment also, that whatever is commanded should be thought right and true; for **OBEDIENCE** is a **HOLCAUST** wherein

THE WHOLE MAN, without any part reserved whatever, IS IMMOLATED to his Creator and his Lord by the hands of his ministers. The noble simplicity of BLIND OBEDIENCE is gone, if in our secret breast we call in question whether that which is commanded be RIGHT or WRONG. This is what makes it perfect and acceptable to the Lord, that the most excellent and most precious part of man is consecrated to Him, and nothing whatsoever of him kept back for himself.”*

“ And let every man be well persuaded that he who lives under OBEDIENCE ought, under the providence of God, sincerely to be governed and behave exactly as if he were a CORPSE, which suffers itself to be turned in all directions and dragged everywhere; or as if he were AN OLD MAN’S STAFF, to be used wherever and in whatsoever he wishes who holds it in his hand.”†

* “ Siquidem Superiori nec si prudentia, bonitate, cæterisve quibuslibet Divinis donis ornatus, instructusque sit propterea obtemperandum est; sed ob id solum quod vices gerat Dei ejus denique auctoritate fungatur qui dicit, ‘ Qui vos audit, me audit; et qui vos spernit, me spernit,’ nec contra, sive consilio aut prudentia minus valeat, quidquam idcirco de OBEDIENTIA remittendum, quatenus ille Superior est; quando illius personam refert, cujus sapientia falli non potest. Supplebitque ipse quidquid ministro defuerit, sive probitate, aliisve ornamentiis careat. Siquidem desertis verbis Christus Dominus, cum dixisset: ‘ Super Cathedram Moysi sederunt Scribæ et Pharisæi,’ protinus addidit, ‘ OMNIA ergo quæcumque dixerint vobis, servate et facite.’ Jam vero illud etiam vobis clare compertum esse, ac in animis vestris penitus insidere vehementer cupio, infimam et valde imperfectam esse illam OBEDIENTIAE formam, quæ mandata duntaxat opere exequitur, nec virtutis nomine dignam, nisi ad alterum gradum ascendat, qui voluntatem Superioris suam efficit, et cum ea ita concordet, ut non solum in effectu executio appareat, verum etiam in affectu consentio; sicque idem velit uterque, idem nolit. Quocirca VOLUNTATES vestras omnino deponite: libertatem, que Conditori vestro quam vobis ipsemel largitus est, in ejus ministris libere tradite ac dicte Quivero se totum penitus immolare vult Deo, præter voluntatem, INTELLIGENTIAM quoque offerat necesse est, ut non solum idem velit, sed etiam ut idem sentiat quod Superior, ejusque judicio subjiciat suum quoad potest devota voluntas intelligentiam inflectere. Etenim cum OBEDIENTIA sit quoddam HOLOCAUSTUM, quo TOTUS HOMO, sine ulla prorsus immunitione, Conditori suo ac Domino per manus ministrorum in caritatis igne IMMOLATUR: cumque sit eadem renunciatio quædam integra, per quam omni suo jure sponte decedit religiosus” [or any one who makes a vow of obedience] “ ut Divinæ Providentiae Superioris ducto gubernandum ac possidendum ultro sese addicat ac mancipet; negari non potest quin OBEDIENTIA comprehendat non solum executionem, ut imperatur quis faciat, et voluntatem ut libenter faciat, sed etiam JUDICIUM, ut quæcumque Superior mandat ac sentit, eadem inferiori et recta et vera esse videantur, quatenus, ut dixi, vi sua, potest voluntas intelligentiam flectere . . . Perit celebris illa OBEDIENTIAE CÆCÆ simplicitas, cum apud nos ipsos in quæstionem vocamus, RECTE ne præcipiatur an SECUS Quam vero sit eadem ipsa perfecta grataque Domino, inde primum ostenditur quod per eam prestantissima pars hominis ac pretiosissima Domino consecratur. Deinde quod OBEDIENS” [Pope or pervert! Dr. Wiseman’s proposition, page 7, must not be forgotten] “ ita fit HOLOCAUSTUM VIVUM, gratumque Majestati Divinæ, cum nihil suinet omnino retineat.”—*Epistola S. Ignatii de Virtute Obedientiae*. 1553.

† “ Et quisque sibi persuadeat, quod QUI SUB OBEDIENTIA VIVUNT, se ferri ac regi Divina Providentia per Superiora suos sincere debent, PERINDE AC SI CADAVER ESSENT, quod quoquoversus ferri, et quacumque ratione tractari se sinit: vel similiter atque SENIS BACULUS, qui ubicumque et quacumque in re velit eo uti, qui eum manu tenet, ei inservit.”—*Constitutiones Soc. Jesus*, p. vi. c. 1.

This was the developement of human infallibility which Lacy de Lacy accepted when he accepted infallibility, and in the fervour of his new love for the Church of his adoption, and in the spirit of self-sacrifice which is the characteristic of all true love, his abjuration made, he makes a vow also of obedience to an unknown priest : for his confessor is a Jesuit, and a Jesuit is forbidden to receive vow of obedience from his own "penitent;" it must be made to some other, any other priest, "directed" probably by the same confessor ; and thus is begun the process of his moral suicide. It is at Rome that his abjuration has been made ; in that one of the many recesses of the great "Gesu" in which it is said Loyola once lived, in which it is said he died ; and though strictly secret, and before the dawn of day, it is a Cardinal who receives it. And the dreary vow which follows ! That, too, is made in secret, and it is only after it is made that he learns the name of him that is now his keeper, his conscience-keeper, in whose hands he is but as a CORPSE, or any OLD MAN's STAFF. He knows it is written on the cell-door of the Jesuit, and when he has risen from his knees and dried his moistened eyes, and had his blessing and *vade in pace*, he stops a moment at the closed door, in that long, dim corridor, and by the still glimmering distant taper spells P. Z-o-l-l-a, Padre Zolla ! Burn it on thy heart, Lacy de Lacy ! Burn it on thy forehead ! To console thee in thy degradation, and that all, who see thee fallen, may know thee irresponsible ! And this Padre Zolla ! Has he no bowels of compassion ? Has he no feeling of honour or of manhood ? Has he no feeling of a woman's love, and trustiness, and loyalty, that his first injunction is treachery and "a lie, an odious, damned lie ?" A lie, begun indeed unwittingly, but now to be repeated heedfully, day by day, to all the world, and, first of all, to the wife that lays her head upon his bosom, and the daughter that twines her arms around his neck.

An altered man is Lacy de Lacy returned to England, his secret faith no secret now. He is an open Papist ; and so is Lady Julia too. His treachery had worked well with her at least, and husband and wife seemed to have embraced together their new religion. But why was young Adela de Lacy absent from the chapel ? O instinct of holy childhood ! O innocence ! "that passeth the understanding of the aged, and maketh judges fools," more penetrating than any acquired wisdom ! She had *felt* her father's double-dealing, and she hated the faith that made him cheat her darling mother, just in proportion as she loved himself and her. She felt as if father and mother had both been stolen from her. And so they have been, truthful, graceful Adela de Lacy ! Their souls have been rent from you, and from themselves too ; carried away, murdered,

and buried by Padre Zolla and his fellow Jesuits: and those, who still seem your father and your mother, are only living CORPSES, breathed in by the souls of other men, that bear little love to you, feared, mistrusted, displaced daughter!

But will Lacy de Lacy witness a forged will? "Ware, Father Goodrig, ware! On the top of the water, aye! but give him play! give him play!" Fear not, over-eager looker-on. An experienced fisher of money and of men is that pale, passionless, bloodless Father Goodrig. He knows how the moral sense dies with the power to use it. He knows how wholly his, in act, and will, and intellect, is Father Zolla's transferred *mancipium*. And if a sudden twinge may sometimes blanch De Lacy's cheek, at least no coward conscience troubles Father Goodrig.

Well born, well mannered, but most basely bred, Father Goodrig was one of the old school of Roman priests only in his undistinctive dress; for no Jesuit was ever of any school but Loyola's. He hated his misbelieving country hereditarily. He felt as if he were an Achæan helot under the usurping Dorian dynasty of Guelphs, and though they knew it not, the De Lacs drew no small portion of their wealth from abbey lands of ancient Goodrig gift. But as to the work in hand, even De Lacy must see no wrong is done to any person by the substituted will. It is the prejudices of Protestantism alone that are against the change, while the conditions of the original are base and impious.

Lady Adela Strange, Lacy de Lacy's maternal aunt, had left her godchild all her property. The will was brief as possible; besides certain sealed packets, keepsakes to certain dear ones, Adela de Lacy was to have all, some 30,000*l.*, on the sole condition that she never became a nun. Lacy de Lacy had witnessed the will, and he only knew of the condition added; and the will was in his keeping until his cousin, the executor, returned from Canada.

Father Goodrig, in all his intercourse with De Lacy, never once alluded to his vow of obedience, and never gave an order. On the contrary, he encouraged his victim in opening difficulties, and often let his chained bird play unhooded, condescending to explain the reasons and *authority* of his direction. But the Father was always the last speaker in these conferences, and he had a gracious, right royal way of sending off a "penitent." In the present instance, he simply instructed De Lacy how, by a decree of Trent, the power of changing wills, for any just cause, lay with the bishop generally: * but in a will like this there

* "In alterations of last wills—which alterations ought not to be made except for a just and necessary cause—the bishops, as *DELEGATES OF THE*

was no need even of recurring to the bishop ; his consent was a duty, and therefore might be presumed with safety, for the condition was one expressly denounced as infamous and invalid,* though in the unacknowledged, heretical courts of England, it would but too probably be maintained ; not, he added, that it was likely Miss de Lacy would ever have the desire to become a nun, but it was an unholy, nay, a sacrilegious thing, to make a possible dedication of herself to God a plea for spoliation. So De Lacy took the will to Goodrig. The father, without rising from his seat, beckoned to him to lay it on the table, and with a gracious bow dismissed him. Not one word had passed between them. On De Lacy's next visit a will was handed to him, which he would himself have unhesitatingly sworn to be the same, but that the blank of his own name was not yet filled up. There was Lady Adela's own seal galvano-plastically repeated,

APOSTOLIC SEE, shall, before the alterations aforesaid are carried into execution, ascertain that nothing has been stated in the prayer of the petition which suppresses what is true, or suggests what is false."—*Council of Trent*, sess. xxii. de Refor. cap. vi. *Waterworth's Translation*. Dolman, 1848.

"*Communis sententia tenet, apud Episcopos esse hujumodi facultatem ORDINARIAM commutandi ; quia talis commutatio est quadam dispensatio in lege præscribente exactam impletionem ultimarum voluntatum, unde quando dicitur fieri posse dispensationes, et non exprimitur a quo in Tridentino, satis intelligitur fieri posse ab Episcopis : uti cum pluribus docent Suarez et Sanchez. 2º. Licet Episcopos nequirit hoc facere ex potestate ordinaria, potest tamen, ut SEDIS APOSTOLICÆ DELEGATUS, modo adsit justa causa judicio Episcopi, idque probant ex Triden. loc. cit. ubi dicitur, In commutationibus ultimarum voluntatum, quæ non nisi ex justa et necessaria causa fieri debent, Episcopi tanquam DELEGATI SEDIS APOSTOLICÆ, summarie et extrajudicialiter cognoscant, nisi in precibus tacita veritate, vel suggesta falsitate fuisse narratum, priusquam commutationes predictæ executioni demandentur. Ita Barbosa, cum Sylvio, Menchata, Beja, Graffis, Mendoza. Et ita etiam Salmanticensis.*"—*LIGUORI*, iv. 931. 1st. The commonly held opinion is that bishops have this faculty of commutation as ordinaries, for such commutation is a dispensation in the law prescribing the exact fulfilment of last wills ; so that when it is said by the Council of Trent that such dispensations can be made and is not expressed by whom, it is understood that it can be done by the bishops, as Suarez and Sanchez teach with most. 2dly. Though the bishop could not do it of his authority as ordinary, still he can do it as **DELEGATE OF THE APOSTOLIC SEE**, provided there is a just cause for his sentence. And it is proved by the Council of Trent (place just cited, in Waterworth's translation).

* *In Auth. de Sanctiss. assignatur ratio, cur legatum relictum certæ personæ ad nubendum, si debeatur si fiat religiosa. Quod vitam profitentur religiosam, scilicet ne puella relinquat statum religiosum ut legatum consequatur. . . . Neque, ait Lessius, præfata lex Justiniani innititur præsumptæ menti testatoris, sed absolute vult favere pietati, ETIAM CONTRA EXPRESSAM TESTATORIS VOLUNTATEM ; ita ut si testator expresserit excludendas esse puellas religionem ingredientes TALIS DISPOSITIO REJICITUR TANQUAM TURPIS.*"—*Ibid.* iv. 930. The reason assigned by the law of Justinian why a legacy left to a particular girl in order to marry should be given to her if she becomes a nun, is lest she may give up her nunship to get the money. And Lessius says this law does not rest on the supposed will of the testator, but *absolutely* means to favour piety (a pious use), even *contrary* to the express will of the testator. So that if the testator had said expressly that girls going into religion were to be excluded, **SUCH A DISPOSITION IS REJECTED AS SHAMEFUL.**

with even the old dint in the setting. Now, as before, no word was spoken : the pen was put into his hand ; his name was written ; the old envelope received its new enclosure, and a mysterious, leaden-looking, little lump, stamped on it afresh the dead testator's own undoubted seal. The atmosphere of that little chamber felt strangely oppressive. The silence, too ! it seemed to awe him, and Lacy de Lacy fled rather than withdrew when Father Goodrig gave him the sealed packet, and gravely smiled "Good-bye."

CHAPTER VIII.

COMFORT ON DEATH-BEDS.

THE will case of *Scroope v. Redman* was one of considerable interest to the Roman Catholics. Many of them thought it had been better to have given up the money than to have brought it before the courts : but Priest Huggins, who was the real defendant, thought differently ; and, papistically speaking, Huggins was right, as will be seen. The sum was not a large one —less than 6000*l.*—but it was sorely needed. Huggins was a man of extraordinary, enterprising activity, and preached well. The rest of the parochial duty a junior priest quite relieved him from, while he rode, and at a swinging pace, his favourite hobby. He had the mania of building. Where the money had come from was unimaginable ; but he had already built, and paid for, a church and spire,—a "Presbytery," as he called it, or parsonage, quite perfect in their way, and had walled in a good large cemetery and garden. He then began the great school and convent which he is now engaged upon. True, he had but *one* nun, and as far as he knew, of his own congregation, no scholars : but he had no congregation when he built his church ; that was the way to get a congregation, nuns, scholars, and everything. At any rate, build Huggins would, and build Huggins did, substantially and beautifully. But in one thing he had overshot, and felt himself, as he felt himself seldom, a transgressor. He had borrowed from his sister the whole of her fortune, between 4000*l.* and 5000*l.*, upon his Bishop's engagement to pay six per cent interest for the money. The Bishop, who, Huggins declared, would have been transported for felony if he had been tried by an English jury, died 70,000*l.* in

debt, leaving, of private property, a library worth about 200*l.*; but no body, corporate or individual, legally responsible beyond that very inadequate sum. The good Bishop's worthy successor occasionally smuggled a ten-pound bank-note into poor Miss Huggins's hand, when she came to pay an inquiring visit at the " Palace ;" but he never committed himself, to do him justice, even in private. And Priest Huggins trusted to the Scroope legacy to pay his sister her just debt. The case, as it stood just now, did certainly look a little ugly ; and it was what no one could have fancied, that old Scroope's West India relations should have been put up to this lawsuit, and they " Catholics !" Still Huggins had no misgivings as to the means or the end. The enemy had only one witness—Scroope's servant ; and the " circumstances," before a judge, would not weigh a feather. What would Lord Longhead care whether Scroope had ever been at mass in his life or not ; or whether he hated women and children or not ? Besides, suppose he did, that might be just the very reason why the old reprobate had left his money to Huggins's Convent. Death's approach had frightened him into repentance, and out of his prejudices ! Moreover, Huggins had three witnesses, all zealous ; one of them his sister, whose interest in the matter no one but the bishop dreamt of ; the second, " his nun," a fantastical convert, well to do in this world's gear. These had witnessed the will. The third, also a convert, was a poor little frightened attorney, who had been universally looked on as the most learned and scrupulous, the best meaning and incapable, of all possible attorneys. The last two would require some little instruction before the trial. As for Miss Huggins, she was what is called a masculine woman, and was nearly as good a theologian as her brother ; indeed she often said she should like uncommonly to hear some people's confessions herself, and thought she would do it well too. What witness number two's " name in the world " was we never heard. She considered herself as having renounced the world and her name together, and had gone through what they called a " kind of novitiate," and was now on a visit to Miss Huggins, at the " Presbytery." Her name in " religion," that is, in the " Presbytery," was " Joseph of Arimathea," sister Joseph of Arimathea. (The calling of nuns by he-saints' names was a new " developement," " revealed" to an " illustrious" convert at Birmingham.) Leaving Miss Huggins, then, to resolve her own conscience, which she did by the aid of a *Guide des Confesseurs* by a certain Archbishop Goosée, we will gather up only the responsible instructions of the professional adviser. These were always given under pretence of confession — a more comprehensive category than " confession,"

by the way, than any one of Aristotle's — and they were given *ex cathedrâ*, with "the Saint" in hand.

Joseph of Arimathea, then, in the first place, was to swear clear and explicitly that she was no nun, novice, postulant, or anything of the sort ; in fact, she was not, strictly speaking : but suppose she were, that made no difference, for, as "the Saint" says, *where it is not a question of denying the faith itself, it is not only lawful, but often more for the glory of God and the good of our neighbour, to hide even your religion itself than to confess it : if, for instance, you can do more good by keeping your religion hid from heretics whilst you live among them.** If this is true of confessing the faith, the true religion itself, how much more true is it of any accessory, such as being a nun, or monk, or priest ? And, *if prevarication itself in any case is lawful, then, if there be a good reason, it is lawful also to confirm the prevarication with an oath ; there is nothing wrong in doing so. You have a right to hide the truth. You do so without a lie, and there is no irreverence done to the oath.*†

In the second place, Joseph of Arimathea was to swear that she had always heard him, Huggins, speak of Scroope as his old friend, and he never did speak of him but as "my old friend." Had heard him, Huggins, say, he was glad his old friend was getting over his queer French notions and turning to God. She heard him say so now ; and that she, Joseph of Arimathea, had lately often seen him, Scroope, at mass ; and she was to write these words, "HIM, SCROOPE," in the Prayer-book, and look at them always when she went to mass ; as "the Saint" says, it is quite allowable to use equivocation, *not purely* mental, even upon oath, provided it be done in a way that a sharp, well-informed man, might possibly make it out, if he looked carefully at all the circumstances.‡ Lastly, she was to swear that she had never spoken with him, Huggins, about the matter ; meaning criminally, which, as "the Saint" says, every person has a right to do, when asked by the judge if he had been in communication with the defendant.§ The relish with

* "Cum non rogaris de fide, non solum licet, sed sâpe melius est ad Dei honorem, et utilitatem proximi, tegere fidem quam fateri ; ut si latens inter haereticos plus boni facis." — LIGUORI, iii. 14.

† "Jurare cum æquivocatione, quando justa causa est, et ipsa æquivocatio licet, non est malum : quia ubi est jus occultandi veritatem, et occultatur sine mendacio, NULLA IRREVERENTIA FIT JURAMENTO." — Ibid. iv. 151.

‡ "Licitum est justa causa uti restrictione non pure mentali etiam cum juramento, si illa ex circumstantiis percipi potest . . . Consentit rigidissimus contentus ; nam explicando illud Jo. 7, dicit Christum verba subobscura adhibuisse in quibus poterat vir prudens verborum sensum facile interpretamento aperire." — Ibid. iv. 152.

§ "Rogatus a judice, an sit locutus cum reo, potest negare, intelligens, se non locutum fuisse ad co-operandum crimini." — Ibid. iv. 160.

which Sister Joseph drank in this mellow Ligurian showed that to her it was not only Falernian, but Faustian of the tenth year ; *cor sapit, sapit et palatum* : in spirit, she was already before the judge, sweetly, smilingly swearing him “out of all face.” But it was very wrong in old Aristotle to say that *all* she’s are more mischievous than the male ; and that deep rogue Terence !—

“ *OMNES mihi videntur ludo doctæ ad malitiam.*”

That was very wrong, indeed ! But, *revenons à nos moutons*. Huggins did not find it quite so easy to deal with the little lawyer. He had not much to swear, but what he had to swear was important. He had received his instructions, not from Scroope himself, though it was in his bedroom, but from Huggins. When he had drawn up the will, he had gone with Huggins to read it to Scroope ; but it was not he that read it but Huggins, while he was looking out of the window trying to count pigeons. He never doubted that the will was all right, and he had heard Huggins the day Scroope signed the will commend him for his generosity, and propose having his body placed in the chapel before the altar, where a mass was to be said for him once a-week for ever. But the truth was, Huggins had made very considerable transpositions in the will. The 500*l.* which was to have gone to the Bishop for the convent and his soul, Huggins transferred to the West India cousin ; and the 5000*l.* which was to have gone to the West India cousin, Huggins transferred to the Bishop. But the 5000*l.* was subject to 20*l.* a-year for life to Scroope’s servant. This Huggins transmuted into a simple legacy of the same amount, and that was what did the mischief. The old man had told the servant that his cousin, Pendleton Scroope, would pay him his annuity, and the servant had written to “Cousin Pendleton” about it. Now the little lawyer was to swear that Scroope had given *him* his instructions (so he had, by proxy), and that *he* had read the will to him before it was signed ; and so he had again by proxy ; and “what a man does by proxy, he does by himself,” *quod facit per alium facit per se*.

The scrupulous little man had no objection to saying generally, or even swearing generally, that he had drawn up the will according to the instructions of Scroope, and that the will had been read to the testator before it was signed ; but, if he were to be examined in detail, he did not like to swear what, he thought, with submission, it seemed to him would be a sort of lie. The holy man explained to him the doctrine of the “faithful” about the right of concealment, of prevarication, &c., and then told him, moreover, that even a real, deliberate lie, under

the most solemn circumstances, might be the merest venial offence, if there were no malice in the telling. The little man listened in silence; Huggins would have liked a question or two. However, he went on, "In confession, for instance, and confession is a sacrament, and swearing before the judge is no sacrament—in confession, for instance," (and he opened "the Saint"), "*suppose you tell a long story, which you have invented merely to throw dust in the eyes of the priest, or deny certain venial or mortal sins which you are not bound to confess; there is no grievous sin in that*: for Lugo, Tamburini, Palatius, and Sporer, say that it is sufficient if you grieve for the multitude or frequency of venial faults in the lump, although you do not grieve for each one in particular.* Nothing that you have any need to confess, *or even to have any compunction or sorrow about*."†

"Indeed!" said the lawyer.

"Certainly not," and he opened Liguori and read him the Latin.

"But," the little man modestly ventured to suggest, that "in confession you did not swear to tell the whole truth."

"Your oath binds you to nothing in this case, for wills fall under episcopal jurisdiction,‡ and it is certain and undoubted that a witness, under oath even, is not bound to tell the truth to a judge illegitimately interrogating him. So says 'the Saint.'§"

Still the persevering man, rebellious to great Loyola's doc-

* "*Non est mortale nec irritat sacramentum, si in confessione mentiaris leviter circa res non pertinentes aut non necessarias ad sacramentum; verbi gratia, si historiam falsam narres, vel si neges veniale vel mortale quod non teneris confiteri.*"

"*An peccet graviter, qui negat confessario peccatum aliquod veniale commisum, aut mortale alias confessum? Affirmant Cajetanus et Armilla. Quia (ut dicunt) hic videtur gravem irreverentiam sacramento irrogare: et P. Concina non excusat a mortali, qui hoc advertenter faceret, eo quod se exponeret periculo gravis culpæ. Sed OMNINO TENENDUM OPPOSITUM cum sententia communi quam tenent BUSEMBAUM et Lugo, Layman, Antoine, Anacletus, Holzman, Roncaglia, Ronzi, et Bonacina, cum Suarez, Sanchez, Reginaldo, et aliis passim; ratio, quia cum illa non sit materia necessaria sacramenti, tunc minime decipitur confessarius in re gravi.*"—*LIGUORI*, vi. 496.

† "*Dicunt Lugo, Tamburini, et Palatius ac Sporer, sufficere etiam si quis doleat de multitudine, aut frequentia venialium (peccatorum), etsi non doleat de singulis in particulari.*"—*Ibid.* vi. 449.

‡ *Vide supra.*

§ "*Notandum est CERTUM esse, quod judici non legitime interroganti testis non tenetur fateri veritatem; tunc enim poterit licite respondere, ETIAM CUM JURAMENTO, crimen nescire, ita ut teneatur illud ei manifestare.*"—*Ibid.* v. 265. It is to be noted as CERTAIN, that a witness is not bound to tell the truth to a judge not lawfully questioning him; for then he may lawfully answer, even WITH AN OATH, that he is ignorant of the crime in such a way as that he should be obliged to declare it to him.

trine and the priest's advice, "that inasmuch as this was a question of fact and of evidence only, and where no right of the bishop was called in question, the judge had a right on the part of the civil power to examine him."

"I deny it altogether," said Huggins. "But I will suppose, for a moment, that it is true ; that the judge has, legitimately and juridically, a right to interrogate you ; you are not, therefore, bound to give your evidence, unless you mean to throw overboard all authority and deny the infallibility of the Church in matters of morality, and so turn heretic. 'The Saint' is adopted by the Church as her authorised exponent of all that is right and wrong in the actions of men ; she gives half-a-dozen reasons which exempt from all obligation of telling the truth before the most regularly constituted earthly tribunal ; and one of these reasons, the third in the order which he adopts, is when from your evidence any serious loss threatens yourself or your friends.* And is not the Church of God the nearest and dearest of friends ? And is not 5000*l.* a serious loss to run the risk of, for a scruple that has its origin in pride and self-will ? I do not mean to wound," added Mr. Huggins, moderating his voice and manner ; "but really, my dear sir, it is sometimes necessary to speak plainly."

This onslaught completely discomfited the small attorney. The tears were ready to burst from his eyes ; he felt, though he hardly knew why, like a culprit convicted by overwhelming evidence, and supplicating the holy man's pardon, and his blessing and his prayers, he took his leave. Huggins, who had been not a little alarmed at the man's obstinacy, was somewhat reassured, but still by no means felt quite certain of the evidence that his penitent would give ; and Dr. Cullen himself never went to bed more fully persuaded than Huggins that night of the truth of Jean Jaques' maxim,—*L'homme qui pense est un animal dépravé.* But Huggins gained his cause, and Miss Huggins was paid her just debt, and the convent was finished, and Sister Joseph of Arimathea lived in it, with two other single ladies, one of whom she called Wilfred-of-the-will-of-God ; the other, a lay-sister, Anne-of-the-Maccabees, in honour of prayers for the dead ; and she changed her own name to Nicodemus, and the congregation was devoted especially to the enlightenment of secret inquirers after truth.

Miss Foody was the only child of Sir Filwell Foody. She

* "Etiam legitime et juridice interrogatur non teneris testari sequentibus casibus. I. Si scias rem ex confessione. II. Si accepisti sub secreto naturali. III. Si ex testimonio, tibi vel tuis imminent notabilis damnum," &c. &c.—*LIGUORI*, v. 268.

was, she said, of the same age as other people. The Bishop of Erysichthonopolis* was her "director," and he had given his "daughter in St. Filomene" (which, after the example of an eminent Oxford convert, she always signed herself) a very startling permission on the subject of wills; which, perhaps, had better not be mentioned. It was, however, held *probable* by a certain Spanish doctor of good repute, and a name that, to Miss Foody, sounded infallible. And Miss Foody determined unhesitatingly to act upon it. Erysichthonopolis—Miss Foody shed tears when the name was changed to Slumley,—Erysichthonopolis was not the lady's confessor. She would not have confessed to his "lordship" for the world. She had a perfunctory little priest—a Frenchman, she thought he was—that "kept his shop" in a dirty chapel somewhere near the Tower, and there Miss Foody drove in her "brougham" regularly every fortnight to have her *spirituals* and *morals* squared. In the lively gossip of the confessional she told her French priest, amongst less important matters, her positive intention to use the "probable" opinion. Now, in the first place, the Frenchman suspected that the Bishop of Erysichthonopolis was Miss Foody's spiritual "director," and he hated Erysichthonopolis cordially. In the second place, he was somewhat of a rigorist, or, to use a harsh term, somewhat of a Gallican. He said the proposition was monstrous; he thought he could guess the doctor that held it. He thought authority could be found for anything *bad* in those Spaniards! He could not venture to give absolution in such a case.

"But her director had told her this was a probable opinion, and that a probable opinion might be safely followed."

"It might perhaps be, what they called, a probable opinion; he knew nothing about that: but it was very, very dangerous in practice, and he was—he supposed he must not say *certain*, but—very nearly certain, that it was sinful and wicked. For his part, he followed *Croix*, who held that *a penitent must conform to the opinion of her confessor, who is the judge, or else she is not in a proper state of mind to be absolved.*" †

* Erysichthonopolis, so named from the son of Triopas whom Ceres in her anger punished with an insatiable appetite, is a city of Greater Asia, now inhabited only by infidels. This leaves its bishop at liberty to take care of himself amongst the faithful elsewhere.

† "Quæritur, *An possit absolvī pœnitens, qui vult sequi opinionem contrariaē illi quam tenet confessarius? Negat Croix Ratio*, quia pœnitens tenetur stare iudicio confessarii, qui est iudex, alias erit indispositus ad absolutionem." —vi. 604. Can a penitent be absolved who is determined to follow an opinion contrary to that of his confessor? He cannot. The reason is that the penitent is bound to abide by the judgment of the confessor, who is the judge, otherwise he will not be in a proper state of mind to be absolved.

The confession ended very abruptly, and Miss Foody left it in tears, *not* of penitence. She drove straight to the dear bishop.

"Could not his lordship suspend him, withdraw his faculties, make him leave the kingdom?"

"There is no making him leave the kingdom but by starvation, and to withdraw his faculties just now might make a hubbub. But he was clearly unfit for his duties—indeed his refusing absolution, under the circumstances, was a mortal sin."*

This last fact quite consoled Miss Foody, and she transferred the periodical salving of her conscience to another and a more orthodox professional absolver.

* "Vero sententia communis et sequenda docet non solum posse, sed etiam TENERI SUB GRAVI confessarium absolvere paenitentem, qui vult sequi opinionem probabilem, licet opposita videatur probabilior confessario. Ita Suarez, Soto, Azorius, Holzman, Salmanticenses, Roncaglia, &c. &c. &c. cum Viva, Layman, Sanchez, &c. &c. &c. Ideu confirmat clariss S. Antoninus, dicens, Si credit (confessarius) quod sit PECCATUM, debet ei conscientiam facere quod confitens diligenter se informet de illo facto, utrum sit peccatum. Sed, dato quod ille non vellet cognoscere illud esse peccatum NIHIL OMNIS tenetur illum absolvere, nec reputare eum inhabilem ad absolutionem, quia ex ratione et non protervia haec opinio est. *Ratio autem,*" adds Liguori, "valde urgens hujus sententiae est, quia paenitens, facta confessione, cum sit dispositus, habet strictum jus ad absolutionem, . . . nec valet dicere quod paenitens non est dispositus, cum sequi non vult judicium confessarii. Nam respondeatur non est judex opinionum, quas paenitens sequi teneatur (*that is* Erysichthonopolis, the director's, business) sed tantum dispositionis sui paenitentis, ut paret ex Tridentino."—LIGUORI, vi. 604. But the common opinion, and the one which *Liguori says* ought to be followed, teaches, that not only the confessor may, but that HE IS BOUND, UNDER PENALTY OF MORTAL SIN, to absolve the penitent. *And, among many authorities, he quotes "Saint" Antonine, who says,* "Suppose the confessor do believe the act to be a sin, he should put it to the penitent's conscience to inform himself diligently in the matter. But, suppose the penitent will not recognise that there is any sin, the confessor is bound notwithstanding to absolve him, and not to consider him unfit for absolution, for his opinion is founded on a reason, and there is no impertinence in it." *And Liguori adds,* "The reason for not denying absolution is a very urgent one, namely, that the penitent who has made his confession in a proper state of mind has a strict right to absolution . . . and it is no answer to say that the penitent is not in a proper state of mind, inasmuch as he refuses to follow the opinion of the confessor. For the answer to that is, that the confessor is not the judge of the opinions which the penitent is to follow, but only of the disposition of his penitent. . . . and the proper disposition of the penitent consists in a true sorrow for SINS CONFESSED, and a firm intention not to sin in future.

CHAPTER IX.

ROME, THE GREAT INCORPORATED ENEMY OF MAN.

IN Polybius's time, the greatest distinction between Greek and Roman was their respective reverence for an oath. "Ten adjurations, ten bonds, and ten witnesses to prove them, would not make a Greek keep faith ;" which, if a Roman swore in secret, or openly, in his private or public capacity, you might rest in peace.

But æsthetic Greece spread fast, and far and wide, the atmosphere of her corruption ; and we know from Cicero that, in his time, Rome rivalled Athens. So, in our own day, and country, and religion, the contagious ruin makes its beginning at the core ; and many a noble tree is rotten long before the brightness of its leaf is faded. He who justifies a non-natural use of oaths, or even words, is already a votary of that Liguori whom Epicurus would have spued out of his throat.

I have no wish to join in the general bitterness against Tractarians. To be earnest in any religion merits a certain regard ; and, perhaps, as large a share of blame lies on the heads of those who led them, as their predecessors drove the Wesleyans to seek abroad what was mocked in palaces episcopal at home,—sympathy in enthusiastic though ostensive piety, in love of the poor, and in self-sacrifice. But the sensuous admirers of lovely forms of charity, and of mediæval developments of high imaginative devotion, would do well to look thoughtfully at what lies beneath, and remember that in the Church where they are tempted to seek them, in the Church which flings ANATHEMA on all who deny it to be the ONLY ONE, truth, the link which binds man to his fellow man, is repudiated, *ratio scandali* ; some worldly reason is the only ultimate reason why any mere Papist should not lie and swear false oaths in England, as devoutly as rob or murder in the Abruzzi.

True faith looks beyond this earth for its rule of thought and action, and bids every individual soul wait till the great day for its final reckoning. Its false sister makes man the legislator*

* " *Communis sententia, cui nos subscribimus, est, quod licet Romanus Pontifex, quatenus particularis persona, sive doctor privatus, possit errare (sicut etiam est fallibilis in questionibus meri facti, que ex hominum testimoniis præcipue pendent) ; cum tamen Papa loquitur tanquam DOCTOR UNIVERSALIS definiens ex cathedra, nempe ex potestati suprema, tradita Petro, docendi Ecclesiæ, tunc dicimus ipsum in controversiis fidei et morum decernendis, OMNINO INFALLIBILEM esse.* Hanc sententiam, *Divus Thomas (Aquinus), Cardinal Turrecremata, Sotus, Cajetaus, Alex. de Hales, S. Bonaventura, Blessed Augustus triumphus, Nic. de Lyra, S. Frances, Salesius, Spondanus, Thomassinus, Ludo-*

and the judge* *in foro conscientiae*, and throws off all personal responsibility, all giving of account each one of himself to Him that is to judge the quick and dead.† It lives in the corrupt breath of man's mouth, and is as worthless and as false as any so-called laws of chivalry or honour.

Read Busembaum, canonized as a theologian with Liguori, who teaches, that an oath solemnly uttered by the lips, but without the inward intention of swearing, creates no obligation.‡ Read the "never-to-be-censured," the "safe" and infallible Liguori, who brings a score of great divines to prove that *probability* is all that is required for what you swear is *true*, in oaths declaratory or promissory;§ that a witness interrogated upon oath by incompetent authority (the Arches Court,|| for instance), may **SWEAR** just what he pleases;¶ that, no matter

vicus, Bail, Duvallius, aliquique innumeri, **ET COMMUNITER RELQUI THEOLOGI OMNES.**—**LIGUORI**, i. 110. The common opinion which we subscribe to is, that though the Roman Pontiff, as an individual person or private doctor, may err (as also in matters of mere fact), nevertheless, when he speaks as **POPE**, then he is wholly infallible in faith and morals.

* If any one saith that the sacramental absolution of the priest is not a judicial act, but a bare ministry of pronouncing and declaring sins to be forgiven to him who confesses; provided only he believes himself to be absolved, or even though the priest absolve not in earnest but in joke; or saith that the confession of the penitent is not required, in order that the priest may be able to absolve him; let him be **ANATHEMA**.—*Con. Trid.* xiv. can. ix.

† "Qui perficere in via Dei cupiunt, submittant se confessario docto, **CUI OBEDIANT UT DEO**. Qui ita operatur, **FIT SECURUS A REDDENDA RATIONE CUNCTARUM ACTIONUM SUARUM**. Dicebat item (S. Philippus Neri) fidem praestandam esse confessario, **QUIA DOMINUS EUM ERRARE NON PERMITTET**." "Saint" Philip Neri, quoted by Liguori as *egregia sapientis auctoritas*.—**LIGUORI**, i. 12. Let those who desire to make progression the way of God, give themselves up to a learned confessor AND OBEY HIM, AS THEY WOULD DO GOD. HE THAT DOES THIS IS SAFE FROM RENDERING THE ACCOUNT OF ALL HIS ACTIONS. Let there be faith in the confessor, for THE LORD WILL NOT ALLOW HIM TO GO WRONG.

‡ "Qui exterius tantum juravit, sine animo jurandi, non obligatur, nisi forte, RATIONE SCANDALI, cum non juraverit, sed luserit."—**MEDULLA THEOL. MOR. HER. BUSEMBAUM**, *juxta editionem ultimam SACRAE CONGREGATIONIS DE PROPAGANDA FIDE. Tornaci*, 1848.

§ Sanchez, with Valdez and Saurez, and the Spanish Carmelite doctors, and Paladius, Lessius, Bona, Azorius, and divines commonly, expressly say, that in an oath, either declaratory or promissory, that the probability of the truth of what is asserted, or of the fulfilment of what is promised, is sufficient. "Sanchez, &c. &c., expressius ait, sufficere in *juramento*, *sive assertorio*, *sive promissorio*, *probabilitatem veritatis assertae*, *vel impletionis exequenda rei promissa*, *modo*, *intelligendum*, non habeatur ratio *probabilis in oppositum*."—**LIGUORI**, iv. 148.

|| "If any one saith that matrimonial cases do not belong to ecclesiastical (Roman) judges, let him be **ANATHEMA**."—*Con. Trident.* Sess. xxiv. can. xii.

¶ A defendant or a witness, not legitimately interrogated by a judge, may swear that he knows nothing of the accusation, though in truth he does know, meaning underneath, that he knows nothing of it in a way the judge has a right to ask him. "Reus aut *testis*, a *judice* non *legitime interrogatus*, *potest JURARE*, *se nescire crimen*, *quod revera scit*. *subintelligendo*, *nescire crimen*, *de quo legitime possit inquiri*, *vel nescire ad deponendum*. *Ita Cajetanus, Sporer, Azorius, Roncaglia, Sanchez, cum Navarro, Toleto, Valdez*," &c.—**LIGUORI**, iv. 154.

how competent the Court may be, if a crime be secret, the witness may SWEAR it false though he knows it true: * that a man who has paid back borrowed money may SWEAR he never had received it; † that an adulteress who has confessed her sin may SOLEMNLY CALL GOD TO WITNESS she is innocent; ‡ that traders may SWEAR they have paid a higher price than they have done for what they offer you for sale; § that any man may SWEAR anything, provided in a whisper he secretly subjoin some true circumstance; ‡ and finally, that every oath made is made with

* If the fault charged be secret, then the witness may, *nay he is bound*, to swear that the accused is innocent. “*Si crimen fuerit omnino occultum; tunc enim potest, imo tenetur testis, dicere (cum juramento) reum non commisisse.*”—*LIGUORI*, iv. 154.

† One who has borrowed, but afterwards paid, may deny that he borrowed, meaning underneath, so as to be obliged to pay. So one whose espousals are void. “*Qui mutuum accepit, sed postea satisfecit, potest negare se accepisse mutuum, subintelligens ita ut debeat solvere. Pariter, qui inita sponsalia invit.*” He who has promised marriage, if he is not bound to keep his promise, may deny it. “*Pariter, qui matrimonium promisit, sed inde non teneatur ad illud, potest negare promissionem, scilicet, ut ex illa teneatur.*” And for this are cited the Salmanticenses, Sporer, Suarez, Layman, Sanchez, Covarruvias, Navarre, Azorius, and others.—*Ibid.* iv. 159.

‡ “*Adultera, si adulterium sacramentaliter confessa sit, potest respondere, Innocens sum ab hoc crimen, quia per confessionem est jam ablatum. Ita Cardenas, qui tamen hic advertit, quod nequeat id affirmare cum juramento, quia ad asserendum aliquid, sufficit probabilitas facti, sed ad jurandum requiritur certitudo. Sed, respondetur, quod ad jurandum sufficiat certitudo moralis. Imo si crimen est vere occultum, probabiliter cum Bus. et aliis potest mulier negare cum juramento, et dicere, Non commisi; eodem modo quo reus potest dicere judici, non legitime interroganti, Crimen non commisi, intelligendo se non commisisse ita ut teneatur ei manifestare.*”—*Ibid.* iv. 162. A woman who has confessed her adultery to a priest may answer, *I am innocent of the crime*, because it has been taken away by the sacrament. Cardenas says, that she cannot affirm it with an oath, because certainty is required; but we answer that moral certainty is sufficient: and Busembaum, Lessius, Soto, Sanchez, Sayr, and Arago, say, that she may deny it altogether with an oath, saying, *I have not done it*, meaning so as to be bound to tell it.

§ “*Quær. An mercatores possint jurare mercedem carius ipsis constare, intelligendum cum alia mercede? Affirmant aliqui, sed merito negant Salmanticenses. Probabiliter tamen posse ait Croix cum Gobato. Quando tales non intelligunt de nero pretio rei, sed computant in eo expensas pro vectura, pro apotheca,*” &c.—*Ibid.* iv. 164. It is asked, If traders may swear that their wares cost them dearer? *Meaning along with some other wares.* Some affirm they may; but the Spanish Carmelites justly deny it. Still Croix says they *probably* may.

|| “*Quær. An liceat jurare aliquid fulsum, addendo, tamen, submissa voce circumstantiam veram? Affirmant Hurtado et Prado, qui dicunt ut locutio sit vera, sufficiat, ut exterius concordet conceptui mentis, sive nutibus, sive voce submissa explicetur, et per accidens sit, ut alter non audiat. At melius Salmanticenses, id admittunt si tamen aliquo modo possit ab altero percipi illa submissa prolatio, licet ejus sensus non percipiatur. Secus si omnino alterum lateat.*”—*Ibid.* iv. 168. It is asked, Is it lawful to swear anything false, adding in a low voice a true circumstance? Hurtado and Prado say that it is, for, in order that what is said be true, it is enough that it outwardly agree with the conceit in the mind, whether it be expressed by nods or whispers, and it be *per accidens* that the other does not hear it. The Salmanticenses explain it better, admitting it provided in any way the whisper could be heard by the other, though the meaning of it be not detected.

mental reservation in favour of every prelatical or papal pretension, **SALVO JURE SUPERIORUM.*** Read these lessons, which no man in the Church of Rome dares call in question, or refuse absolution for the practising, and then think what any zealous “faithful,” what any priest, what any bishop, archbishop, or cardinal, can mean by **SWEARING** before the highest or the lowest court in England ? What but to persuade belief of just that which it is expedient for them should be believed ?

Who, amongst other “mounts and marvels,” swore before the House of Lords that the spiritual politics of Hildebrand were mocked at or forgotten in the Church of Rome ? Who but a papal bishop, that on his knees, at each returning anniversary of that “St. Gregory’s” death, recited his belief that God had wrought a miracle expressly to show men that “the Saint’s” system of papal government was **INSPIRED BY THE HOLY GHOST** !† Who in the public streets of Rome, upon the first news of the last French Revolution, 1848, protested before God his trust that England’s hour was struck, that by France and Ireland united she would now be crushed ? Who but a papal archbishop, that now signs fervent addresses of mock loyalty and devotion to his too gracious **MISTRESS** !

When the foul religion of old Rome had corrupted utterly her personal and social morals, it still cherished love of kindred, and love of country. But Papal Rome attacks every human relationship. It makes war, without quarter, against every natural authority, civil and domestic, and is as anti-national as anti-social. Her great “tribunal,” the Confessional, is a shambles where men’s souls are sold, as well as slaughtered.

* “*In omni autem juramento promissorio fictione juris, tacite subintelliguntur sequentes conditiones, II. SALVO JURE SUPERIORUM.*”—**LIGUORI**, iv. 180. In every promissory oath, by a fiction of law, there is tacitly understood the condition, *saving the rights of my superiors*.

† “*Dum missarum solemnia perageret, visa est viris piis columba e cælo delapsa, humero ejus dextero insidens, alis extensis caput ejus velare. Quo significatum est, SPIRITUS SANCTI AFFLATU, non humanæ prudentiæ, rationib⁹, ipsum duci in Ecclesiæ regimine.*”—**BREVIARIUM ROMANUM**, Romæ, 1843. Whilst he (Hildebrand) was celebrating mass, a dove was seen by pious men to descend from heaven, and, by taking its seat upon his right shoulder, veil his head with her spread wings ; which was to show us, that in his government of Christendom (the Church—the baptized) he was directed, not by reasons of human wisdom, but, by the **INSPIRATION OF THE HOLY GHOST**. *May 25, Feast of St. Gregory VII.*

